UNITED STATES

"Ich habe kopfweh"
"Ich liebe dich"
"Amo te amas ne me?"
"Culpa est non mea"
"Sic semper tyrannis"
"Et tu Brute!"
"Chere"
"Je vous aime, chere"

"All things have two handles; beware of the wrong one"

"In omnibus aliquid" June 6th
"Non confectus, sed initius" June

Thurs. Eve. Feb. 27, 1908.
"Whistle, and I'll come to you my lad"

Health + prosperity
Wealth + posterity"

Lula B. King
D. H. S.
1907-08.

Raymond Rockefeller
Tracy Pratt
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Sept '07 - June '08

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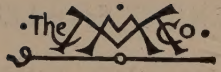
A STUDENTS' HISTORY OF THE UNITED STATES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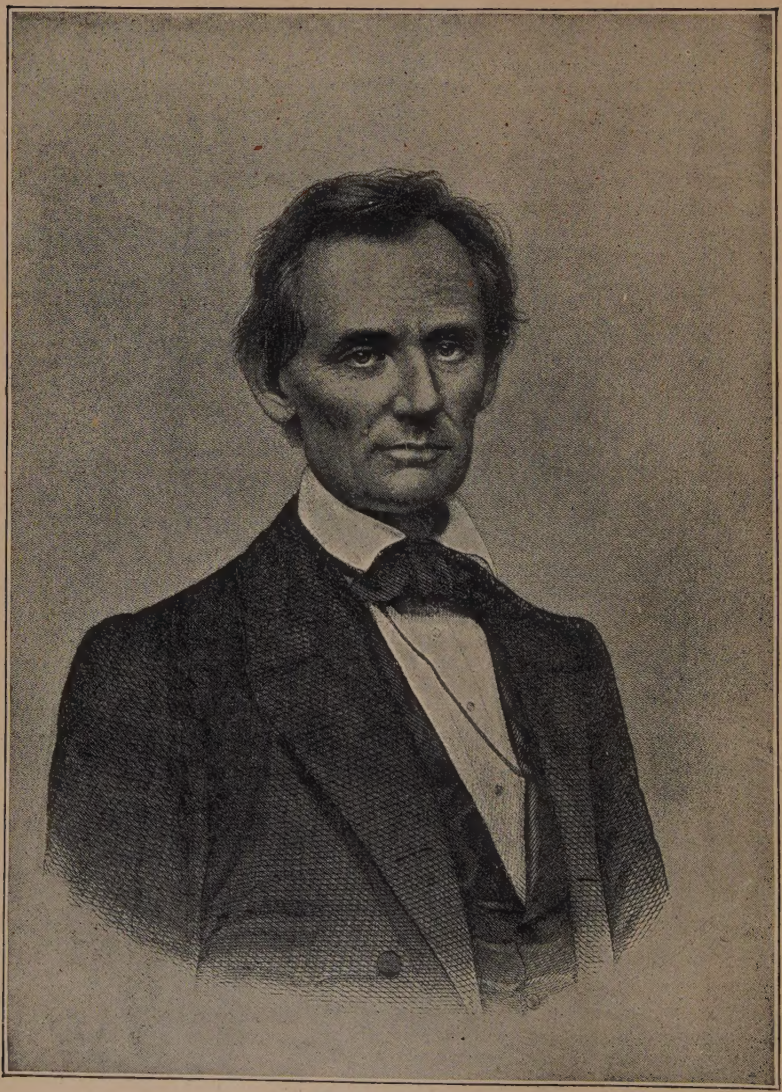

Abraham Lincoln
From a photograph by Brady, 1860

A STUDENTS' HISTORY

OF

THE UNITED STATES

BY

EDWARD CHANNING

PROFESSOR OF HISTORY IN HARVARD UNIVERSITY

WITH MAPS AND ILLUSTRATIONS

Revised Edition

New York

THE MACMILLAN COMPANY

LONDON: MACMILLAN & CO., LTD.

1907

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Set up, electrotyped, and published December, 1897. Reprinted April, 1898. New edition, with additions, printed September, 1898; August, 1899; July, 1900; March, 1901; March, 1902; May, 1903. Revised edition printed June, 1904; January, July, 1905; March, 1906; February, 1907.

PREFATORY NOTE

THE cordial welcome and continued favor which have been accorded to this advanced manual of United States history have been far in excess of the author's expectations. He feels assured that this success has been due, in great measure, to the kindness of the many friends which the book has found. In preparing this new edition he has endeavored, as far as possible, to meet their wishes, to follow their valuable suggestions, to correct the errors which they have pointed out, and to bring the text down to the present time.

CAMBRIDGE, MASSACHUSETTS,
May 2, 1904.

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SCHOOL LIBRARIES

(The price of each book is given in parentheses. These figures are taken from the publishers' trade lists; often considerable reductions can be obtained.)

For the teacher: Channing and Hart's *Guide to the Study of American History.* Boston: Ginn & Co. ($2.00.)

THE SMALLEST LIBRARY

Johnston's *American Politics.* New York: Holt. (80 cents.)

Hart's *Epochs of American History.* 3 vols. New York: Longmans. (3 vols., $1.25 each.)

Dodge's *Bird's-Eye View of our Civil War.* Boston: Houghton. ($1.00.)

D. C. Heath's *Smaller Outline Maps of the United States* were prepared by Professor Hart and the present writer for work contemplated in the Suggestive Questions.

Hart and Channing's *American History Leaflets.* 30 numbers. New York: Lovell. (10 cents each.)

School histories of England and of France.

A GOOD LIBRARY

The books already mentioned and the following works:

Higginson's *Larger History.* New York: Harper's. ($3.50.)

Fisher's *Colonial Era.* New York: Scribner's. ($1.25.)

Walker's *Making of the Nation.* New York: Scribner's. ($1.25.)

Lodge's *English Colonies.* New York: Harper's. ($3.50.)

Hinsdale's *American Government.* Werner School Book Co. ($1.25.)

Fiske's *New England* ($2.00); *American Revolution* (2 vols. $4.00); *Critical Period* ($2.00). Boston: Houghton.

Parkman's *Pioneers.* Boston: Little. ($1.50.)

Channing's *History of the United States,* Vol. I. New York: Macmillan. ($2.50.)

Stanwood's *Presidential Elections.* Boston: Houghton. ($1.50.)

Taussig's *Tariff History.* New York: Putnam. ($1.25.)

Schouler's *United States.* New York: Dodd. (5 vols. $17.25.)

Rhodes's *United States.* New York: Harper's. (3 vols. $7.50.)

Tarr and McMurry's *North America.* New York: Macmillan. (75 cents.) Has supplementary volumes on separate states.

"American Statesmen" (Boston: Houghton): Lodge's *Washington* and *Webster,* Morse's *J. Q. Adams* and *Lincoln,* Sumner's *Jackson.* ($1.25 each.)

"Makers of America" (New York: Dodd): Wendell's *Cotton Mather,* Sumner's *Robert Morris* and *Hamilton,* Schouler's *Jefferson.* ($1.00 each.)

Higginson's *American Explorers.* New York: Longmans. ($1.20.)

Old South Leaflets. Boston: Directors of Old South Lectures.

Hart's *Contemporaries.* New York: Macmillan. (4 vols. $2.00 each.)

Histories of the state and of the town in which the school is situated.

Gardiner's *Student's History of England,* Green's *Short History of the English People,* Higginson and Channing's *English History for Americans,* Duruy's *History of France.*

A VERY GOOD LIBRARY

The books already mentioned and the following works:

Winsor's *Narrative and Critical History* (8 vols. $5.50 each) and his *Columbus* ($4.00). Boston: Houghton.

Carrington's *Battles of the Revolution* ($6.00), or his *Washington.*

Lalor's *Cyclopædia of Political Science.* Chicago. (Subscription.)

Stedman and Hutchinson's *Library of American Literature,* 13 vols., New York (subscription) (contains many selections from the books mentioned at the beginning of chapters under "Illustrative Material").

Larned's *History for Ready Reference.* (5 vols. $5.00 each.)

Clarke's *Anti-Slavery Days.*
McCulloch's *Men and Measures.*
Quincy's *Figures of the Past.*
} These books are out of print, but may be obtained from dealers in second-hand books.

Maclay's *United States Navy.* New York: Appleton. (2 vols. $7.00.)

Gardiner's *Puritan Revolution,* Lecky's *England* (Vols. III and IV), Rose's *Revolutionary Era,* or Stephens's *French Revolution.*

Fiske's *Civil Government.* Boston: Houghton. ($1.00.)

Bryce's *American Commonwealth,* abridged edition. New York: Macmillan. ($1.75.)

MacDonald's *Documents illustrative of History of the United States.* New York: Macmillan. **($2.25.)**

Rand's Selections illustrating Economic History since the Seven Years' War. New York: Macmillan. ($2.50.)

The constitution of your state, and local documents.

The United States issues two volumes entitled *Charters and Constitutions of the United States,* which may be obtained through members of Congress. Another useful work issued by the Government is J. D. Richardson's *Messages and Papers of the Presidents.* Current numbers of the *Congressional Record,* and the Manuals of the two Houses may also be obtained through Congressmen. The Land Office map — the best map for school use — can be obtained by sending eighty cents to the Financial Clerk of the Interior Department, and other maps, as the beautiful contour map, can be secured through members of Congress.

Most of the books mentioned in this work will be found in the Public Library of the city or town in which the school is situated, and arrangements can often be made for the special use of particular books.

Larned's *Literature of American History* will be of great service to all persons who are getting together selected libraries for towns and cities.

IMPORTANT DATES

The more important dates are printed in bold-faced type. With each date the student should associate as many events as possible. It is better to learn a few dates correctly than it is to remember many dates incorrectly. Another list may be found in the *Guide*, p. 157.

1492. **Columbus (Discovery of America).**
1497. **John Cabot (Discovery of North America).**
1513. Ponce de Leon (Florida) and Balboa (Pacific).
1524. Verrazano and Gomez (Atlantic coast).
1534. Cartier (the French in the St. Lawrence).
1539–1542. **De Soto and Coronado (the Spaniards in the United States).**
1588. **Defeat of the Armada (Beginnings of English Colonization).**
1604. Acadia (the French in the North).
1607. **Virginia (the First Permanent English-American Colony).**
1619. **Representative Government and Slavery in Virginia.**
1620. **The Pilgrims at Plymouth (the First Permanent English Colony in the North).**
1630. The "Great Emigration to Massachusetts."
1632. Maryland (the Calverts and Toleration).
1635. Connecticut (Constitutional Development).
1636. **Roger Williams (Separation of Church and State).**
1643. **New England Confederation.**
1649. **Maryland Toleration Act.**
1664. English Conquest of New Netherland.
1676. Bacon's Rebellion and King Philip's War.
1689. The "Glorious Revolution" in America.
1701. Pennsylvania Charter of Privileges.

1713. **The Treaty of Utrecht.**
1754. Albany Plan of Union.
1763. **Peace of Paris and King's Proclamation.**
1765. **The Stamp Act (Henry's Resolves).**
1767. The Townshend Acts (colonial union).
1774. **Massachusetts Government Act and First Continental Congress.**
1775. Lexington and Concord.
1776. **Declaration of Independence.**
1781. **Articles of Confederation.**
1783. **Treaty of Peace** (Boundaries, Debts, etc.).
1787. **The Constitution and the Northwest Ordinance.**
1794. **Jay's Treaty (Foreign Relations and Party Organization).**
1798–1799. **Kentucky and Virginia Resolutions.**
1803. Louisiana Purchase.
1812–1815. **War with England (Neutral Commerce and Impressment).**
1814. Hartford Convention.
1820. **Missouri Compromise.**
1823. **The Monroe Doctrine.**
1832. The Nullification Episode.
1845. Annexation of Texas.
1846–1848. Mexican War.
1850. **Compromise on Slavery.**
1854. **Kansas-Nebraska Act.**
1857. **The Dred Scott Case.**
1861–1865. **The Civil War.**
1863. **Emancipation Proclamation.**
1867. Reconstruction Act.
1883. Civil Service Reform.
1898. Spanish War.

A PERSPECTIVE OF UNITED STATES HISTORY

(The numbers in parentheses refer to sections of the text)

Discovery and Exploration, 1000–1600. Chs. I.

- DISCOVERY OF AMERICA, 1000–1492.
  - *Northmen*, 1000 (**10**).
  - *Columbus*, 1492 (**13–15**).
  - *John Cabot*, 1497 (**16**).
  - *Americus Vespucius* (**17**).
- PROOF THAT AMERICA WAS NOT ASIA, 1513–1520.
  - *Balboa*, 1513 (**18**).
  - *Magellan*, 1520 (**19**).
- EXPLORATIONS, 1500–1600.
  - *Spanish.*
    - Ponce de Leon, 1513 (**20**).
    - Cortez, 1519–21 (**21**).
    - Coronado, 1540–42 (**25**).
    - De Soto, 1539–43 (**26**).
  - *French.*
    - Verrazano, 1524 (**23**).
    - Cartier, 1534–41 (**27**).
    - The Huguenots, 1555–65 (**28, 29**).
  - *English.*
    - The Cabots, 1498 (**16**).
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    - The Ralegh Colonists, 1584–90 (**33**).
- DECLINE OF SPAIN'S SEA-POWER, 1550–1600.
  - *Defeat of the Spanish Armada*, 1588 (**34**).

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  - *The Southwest*, 1540–1760 (**25, 26**).
  - *Florida*, 1565–1760 (**29**).
- FRENCH, 1604–1760.
  - *Acadia*, 1604 (**35**).
  - *Quebec and the St. Lawrence*, 1608 (**35**).
  - *Louisiana*, 1699 (**104**).
- DUTCH AND SWEDES, 1609–1664.
  - *New Netherland*, 1609–64 (**74, 75**).
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- ENGLISH, 1607–1760.
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  - *The Glorious Revolution*, 1688–89 (**97–99**).
- ENGLISH CONQUESTS, 1664–1763.
  - *New Netherland and New Sweden*, 1664 (**84**).
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    - Treaty of 1763.
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- DIVERGENT THEORIES ON CONSTITUTION OF BRITISH EMPIRE, 1760.
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    - Personal Union through King.
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- ATTEMPTS TO ENFORCE BRITISH IDEAS, 1761–1775.
  - *Constitutional Questions involved in Colonial Resistance* (**116–126**).
    - Writs of Assistance, 1761.
    - Parson's Cause, 1763.
    - Declaratory Act, 1766.
    - Gaspee Inquiry, 1772.
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    - Government of Territories.
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    - Fugitive Slave Provision.
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    - Genesis of Federal Convention.
    - The Convention, 1787.
    - Sources of the Constitution.
    - The Compromises.
  - *Form of Government* (**181, 183–188**).
    - The Legislative Power.
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    - The President.
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    - Strict Construction.
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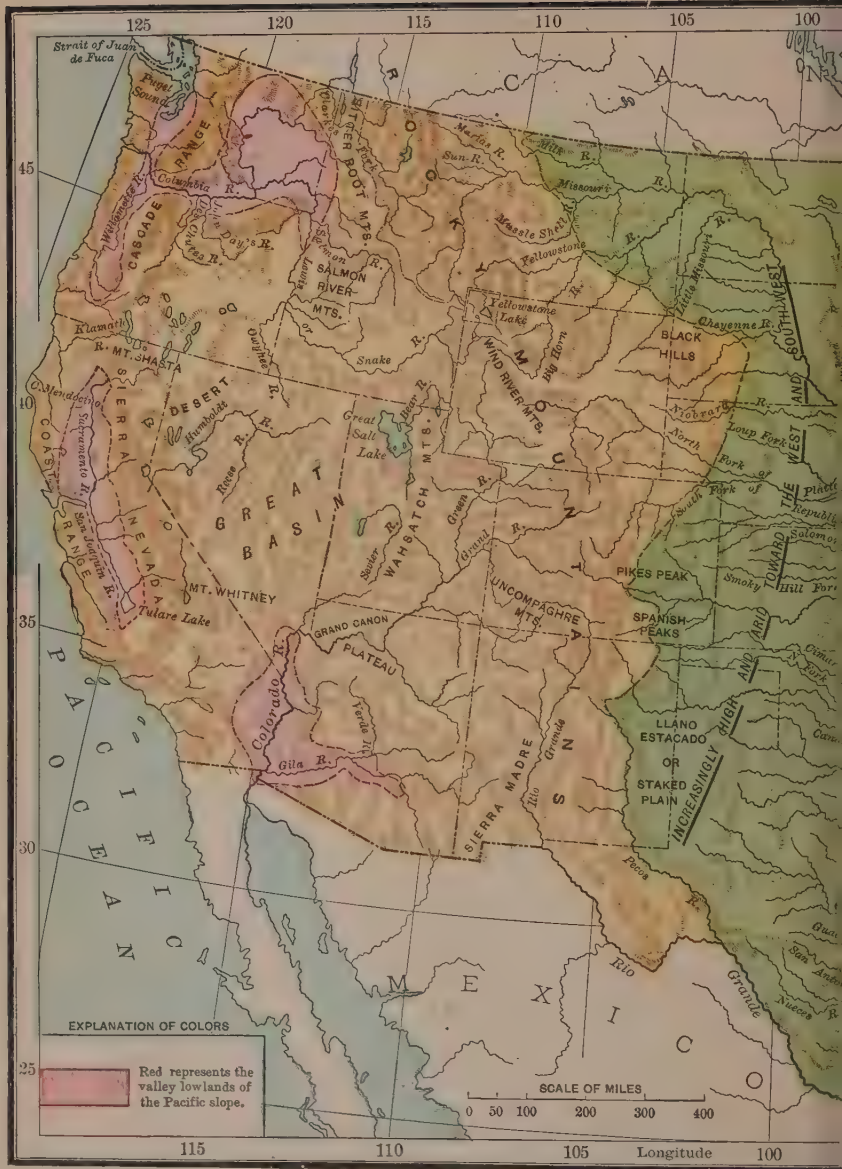
Establishment of National Democracy, 1801–1841.	*Thomas Jefferson*, 1801–1809 (**222–236**).	Louisiana Purchase, 1803. Rights of Neutrals.
	James Madison, 1809–17 (**237–252**).	War of 1812. Rise of Manufactures. Beginning of Protection, 1816.
	James Monroe, 1817–25 (**253–263**).	Nationalization. Florida Purchase, 1819. Missouri Compromise, 1821. Monroe Doctrine, 1823. Tariff of 1824.
	John Quincy Adams, 1825–29 (**264–270**).	Contest with Georgia. Panama Congress. Tariff of Abominations, 1828.
	Andrew Jackson, 1829–37 (**271, 272, 280–293**).	Spoils System. Popular Sovereignty. Rising Power of the West. Nullification, 1833. War on the Bank. Distribution of the Surplus. Panic of 1837.
	Martin Van Buren, 1837–41 (**294–295**).	Independent Treasury Act, 1840.
Contest over Slavery, 1841–1865.	*William H. Harrison and John Tyler*, 1841–45 (**296–299**). *James K. Polk*, 1845–49 (**299–305**). *Zachary Taylor and Millard Fillmore*, 1849–53 (**306–309**).	Annexation of Texas, 1845. Mexican War, 1846–48. Walker Tariff, 1846. Oregon Treaty, 1846. Wilmot Proviso, 1846. Compromise of 1850.
	Franklin Pierce, 1853–57 (**309–313**). *James Buchanan*, 1857–61 (**313–317, 326–333**).	Kansas-Nebraska Act, 1854. Struggle for Kansas. Dred Scott Decision, 1857. Secession, 1860–61.
	Abraham Lincoln, 1861–65 (**334–374**).	More Secession, 1861. War for the Union, 1861–65. Emancipation, 1863, 1865.

National Development, 1865–1897. Ch. XIV.	POLITICAL READJUSTMENT, 1865–1876 **(375–390).**	*Andrew Johnson*, 1865–69.	Reconstruction, 1865–76. Impeachment, 1868.
		Ulysses S. Grant, 1869–77.	Civil Service Reform.
		Rutherford B. Hayes, 1877–81.	Disputed Election, 1876.
		James A. Garfield and Chester A. Arthur, 1881–85.	Civil Service Reform.
		Grover Cleveland, 1885–89.	
	INDUSTRIAL DEVELOPMENT, 1876–1897 **(391–400).**	*Benjamin Harrison*, 1889–93.	McKinley Tariff, 1890. Sherman Silver Law, 1890.
		Grover Cleveland, 1893–97.	Repeal of Silver Law, 1893.
		William McKinley, 1897–	Spanish War, 1898.

SPECIMEN DIGEST

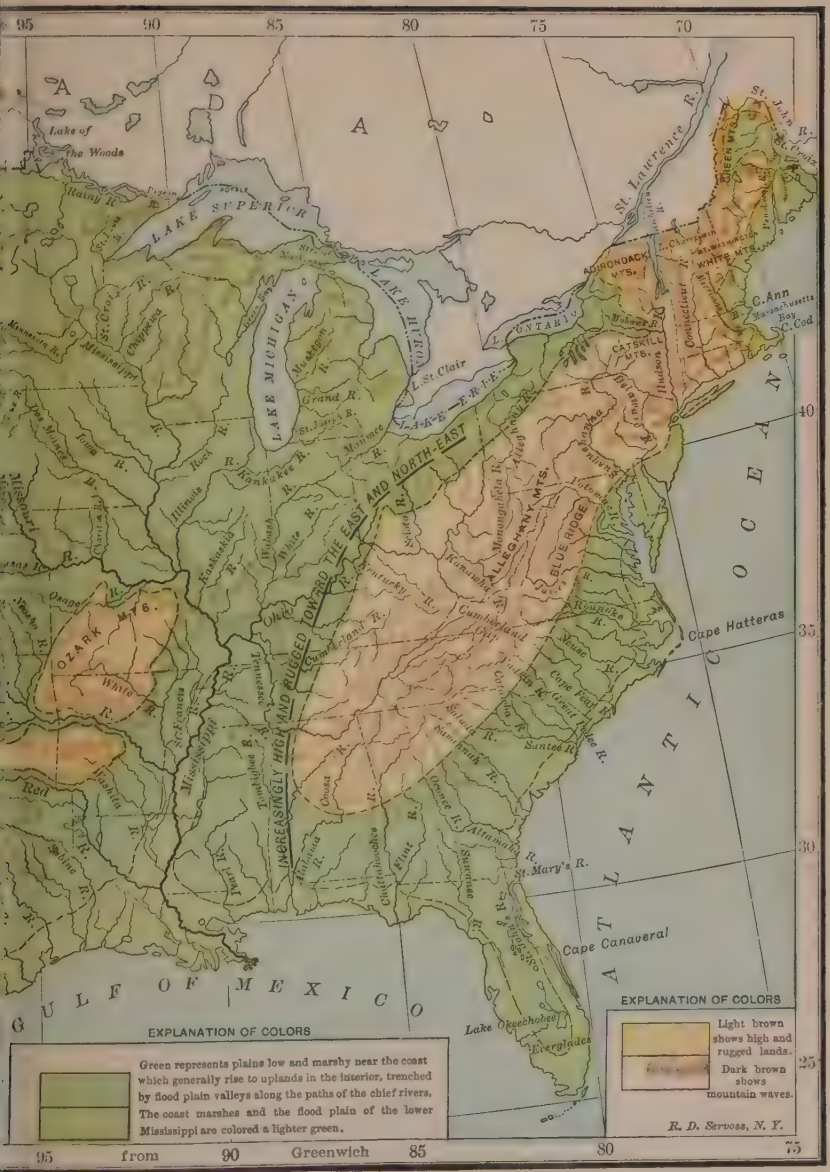
A Century of Colonial History.

- THE COLONIES DURING RESTORATION PERIOD, 1660–1688.
  - *New Era in Colonization.* — Clarendon and his colonial policy; the Navigation Acts.
  - *Massachusetts.* — The Puritans and the Quakers; the English government and Massachusetts; Declaration of Rights, 1661; the Commission of 1664.
  - *Charters of Connecticut*, 1662; *and of Rhode Island*, 1663.
  - *Conquest of New Netherland*, 1664.
  - *New Jersey*, 1664.
  - *Pennsylvania.* — William Penn; boundaries; Penn and the Indians; government.
  - *The Carolinas.* — The Carolina charters; settlement; founding of Charleston; the Fundamental Constitutions.
  - *Virginia.* — Grievances of the Virginians; Bacon's Rebellion.
  - *Constitutional Struggle.* — Overthrow of Massachusetts' charter, 1684; the Stuart Tyranny in New England; the Glorious Revolution in America, 1688–89.
- THE COLONIES UNDER THE ENGLISH WHIGS, 1688–1760.
  - *Constitutional Struggles.* — Policy of the new government; the Carolinas; constitutional progress.
  - *Georgia*, 1732.
  - *Expulsion of the French.* — Early French and Indian Wars, 1690–1748; settlement of Louisiana, 1699; expulsion of the French, 1754–63; Treaty and Proclamation of 1763; Albany Plan, 1754.
  - *General View of Colonial conditions in* 1760.



No. I. THE UNITED STATES, SHOWIN

After a map by J. W. Powe



IS OF LAND AND PRINCIPAL RIVERS

eonal Geographic Magazine

THE UNITED STATES

INTRODUCTION

THE LAND AND ITS RESOURCES

Books for Consultation

General Readings. — Shaler in Winsor's *America*, IV, pp. i–xxx, especially pp. xx–xxx.

Special Accounts. — *Shaler in his *United States*, I, chs. i–iii, vii–ix; Tarr and McMurry's *North America*.

Sources and Bibliography. — Channing and Hart, *Guide to American History*, §§ 21, 21 a, 21 b, 77.

Maps. — United States Geological Survey, *United States Relief Map* and *Contour Map*. Wall Map: United States Land Office, *Map of the United States*. The maps in Frye's *Geography* give an excellent idea of the topography.

THE LAND AND ITS RESOURCES

Influence of geography on history.

1. **Geography and History.** — The life of a nation depends mainly on its moral and mental make-up and the opportunities of improvement which are placed within its reach. On the one hand, the Spanish-Americans have made slight use of the great natural resources of South and Central America; on the other hand, the Danes have accomplished little in Greenland. In the territory now occupied by the American nation, a strong people found opportunities for development such as no other country of equal size possesses. In the present chapter will be found a brief description of the great natural resources which a kind Providence has placed at the disposal of the inhabitants of the United States. Without this knowledge, the student will seek in vain to understand the history of the American people.

Influence of scientific discoveries on history.

Since the early years of the nineteenth century, the application of steam to modes of transport has greatly lessened the importance of many natural forces. The railroad and the steamboat have overcome in great measure the obstacles to intercourse offered by distance, by mountain systems, and by river courses. The markets of the world are now more accessible to the farmer on the western prairies than they were to the cultivator of central New York in 1820. Modern scientific discoveries have enabled man to make a better use of fertile soils and rich mineral deposits. As yet, however, science has not been able to increase the rainfall of a rainless region or to moderate the climate so far as to affect agriculture. The historical student ought to note every important application of science to the improvement of the mechanical arts. If the cotton gin (§ 218) had never been invented, it is probable that slavery would have been peaceably abolished in the South before 1825. On the other hand, if slavery had been profitable in Pennsylvania and the Middle West it might still be in existence. Of all natural forces, the climate and rainfall are the most important, because an excess of cold or an absence of rain forbids the development of human activity.

The cotton gin, Rhodes's *United States*, I, 26.

2. Temperature of America and of Europe. — On the following pages are maps showing the lines of equal temperature for Europe and North America.

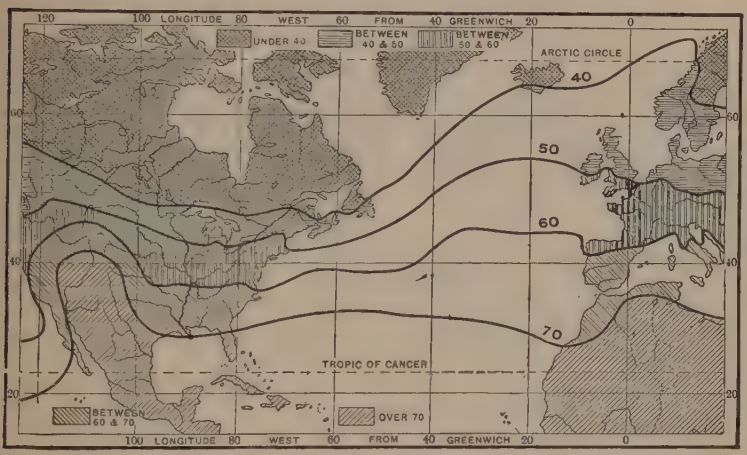
Climate and civilization.

It will be seen that those portions of Europe which have been the seat of the greatest activity and the abode of the highest civilization are situated between the lines of average annual temperature of forty and seventy degrees. These countries are Norway and Sweden, Denmark, Germany, Great Britain and Ireland, the Netherlands, France, Spain, Portugal, and Italy. The winter temperature of these lands is between twenty and sixty degrees, and the summer temperature between fifty and eighty degrees.

Turning now to the western side of the Atlantic, it is evident that these conditions are nowhere reproduced with exactness. A glance, however, suffices to show that the United

States, as a whole, enjoys about the same annual temperature as western Europe as a whole, but the winters are much colder and the summers are much warmer in America than in Europe. A further remarkable fact is also revealed: the annual and the winter temperature lines turn sharply to the south as they approach the American coast and become pinched together. The summer lines, on the other hand, pursue a more direct westerly course, and some of them even trend to the northwestward. The southward trend of

Temperatures of America and Europe compared. Shaler's *United States*, I, 9, 23.



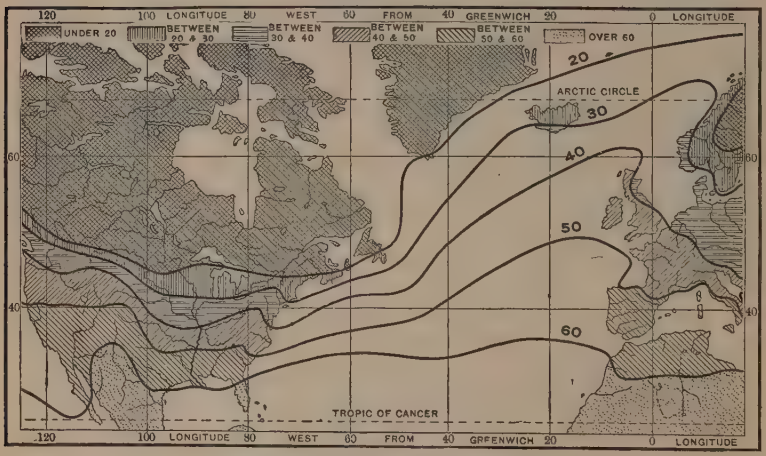
Lines of equal temperature, annual

the two former sets of lines indicates that the valuable portions of eastern North America are far to the south of the corresponding portions of European lands. For example, the southern end of Greenland and the entrance to Hudson Strait are in the same latitude (sixty degrees north latitude) as the southern end of Sweden, but the winters are very much more severe in the former than in the latter. The cause of the failure of many early colonies is now evident. The old voyagers were ignorant of this great difference in the climates of Europe and America; they expected to find similar conditions prevailing on both sides of the Atlantic.

Effects of this difference in temperature.

They were further led into error through the fact that their explorations were made in the summer, when the climatic conditions of the two sides of the North Atlantic most nearly resemble one another. For instance, Weymouth, who visited the coast of Maine in the summer, found a temperature which resembled that of southern France; but the colonists who came over in consequence of his favorable reports found a winter temperature like that of northern Norway.

Furthermore, the charts give average temperatures, and in this way tell only a portion of the story; for the extremes



Lines of equal temperature, February

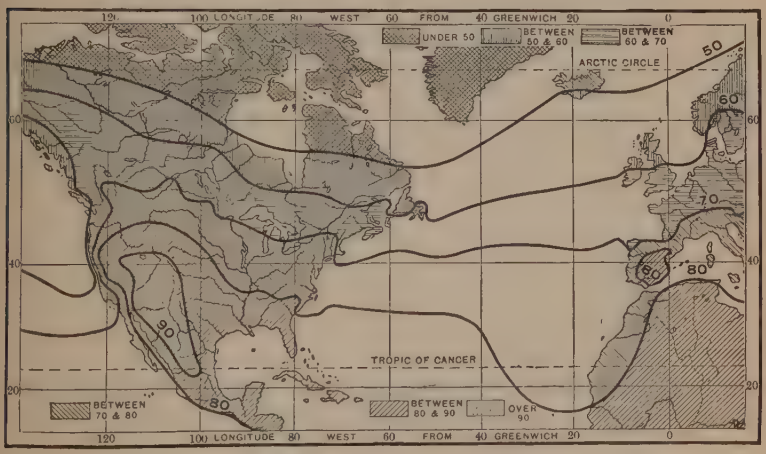
of heat and cold are much greater on the western than on the eastern side of the Atlantic. For example, Savannah has a mean winter temperature not unlike that of Cadiz, in Spain. The actual climate, however, is very different, as there are frosts at Savannah and none at Cadiz. It follows from this that tender trees, like orange trees, will thrive in the vicinity of Cadiz, but will be killed or seriously injured in the country around Savannah.

This difference in the winter temperature of the two sides

of the North Atlantic is easily explained: the warm currents of the North Atlantic bear the heat of the Gulf of Mexico and the tropical regions of America away from the eastern coast of that continent and give it to the western coast of Europe. Moreover, the prevailing winds of North America are from west to east, — they are cold in winter and spring, and increase the difference in temperature caused by the action of the ocean currents.

Cause of the difference.

3. Temperature of the United States. — The conditions as to currents of air and water on the western coast of the United States are like those which prevail on the western



Lines of equal temperature, August

coast of Europe. A study of the temperature charts discloses the fact that the lines, as they approach the Pacific shore, spread out to a very marked extent. Thus the line of mean annual temperature of forty degrees reaches the Pacific near the sixtieth parallel, fifteen degrees farther north than it leaves the Atlantic. The case is even more marked as to the winter temperature, as the line of thirty degrees leaves western Europe and western America in nearly the same parallel. The summer temperatures of the

Temperature of the Pacific coast.

Pacific slope, however, are on the whole higher than those of western Europe.

Temperature of the Mississippi basin and Atlantic coast.

In the interior of the two countries the difference is widely marked. A mountain barrier, the Cordilleran system, traverses the American continent from north to south, and effectually prevents the winds of the Pacific slope from moderating the climate of the interior; but there is no such mountain barrier in western Europe. The winter lines, on leaving the Pacific coast, trend sharply southward, and the interior of the continent from the one hundredth meridian eastward has practically the same average temperatures as the Atlantic coast region in the same latitudes, but the extremes of temperature are even greater in the interior than on the eastern seaboard. The cold winds from the Cordilleras and from the frozen regions of Canada sweep down from the west and north, and produce great intensity of cold. On the other hand, in the summer time, hot winds frequently blow from the south and raise the temperature to a very high degree. The effects of these cold and warm "waves," as they are generally termed, are very great; the mercury is occasionally frozen in Wisconsin and Michigan, and even on the Gulf of Mexico the thermometer at Galveston, Texas, has been known to fall fifty-four degrees in eighteen hours. The hot waves often produce extremely high temperatures, reaching one hundred degrees in Iowa and the neighboring states, and frequently attaining ninety-two and over even on the shores of the Great Lakes, whose waters moderate the heats of summer.

Extremes of temperature.

Political results of climatic conditions.

The pinching together of the temperature lines on the eastern coast means that within the comparatively limited area stretching from the St. Lawrence to the Gulf of Mexico, agricultural conditions prevail which in the Old World are associated with regions extending from the North Cape to the Desert of Sahara. Each group of colonies and states has had its own industries, habits of living, and modes of thought. This fact has exerted its influence by dividing the people of the United States into sections and, to a

great extent, has determined the political history of the nation.

4. **Rainfall.** — The temperature of a country determines its agricultural produce; thus Indian corn demands a good degree of heat, while cotton will not thrive without a greater intensity of heat. Corn, furthermore, is peculiarly sensitive to frosts, and will not ripen where they occur early in the autumn. Of equal importance is the amount and distribution of moisture. If the rainfall is excessive, the cotton plant makes a rank growth, or becomes so choked with weeds that it will not grow at all; but if it does not have abundant moisture, it will not thrive. Corn, on the other hand, absorbs moisture from the air, and will grow in seasons of drought, when other plants perish.

Effects of temperature and of rainfall compared.

Experience has shown that an annual rainfall of at least twenty inches is essential to profitable agriculture. It is true that a large number of important food plants, as corn, will thrive on a less amount of moisture provided it is well distributed. Unfortunately, however, as the average rainfall decreases below twenty-five inches, the variation in the precipitation increases out of all proportion to the total amount. A diminution of five inches in any one year would make little difference in a region of thirty inches of average rainfall, but it would be fatal to the year's crops in a region of twenty inches of annual precipitation. Cultivation is only certain where the average rainfall is over twenty-five inches; although it is possible, but hazardous, in regions of twenty inches. Districts of from ten to twenty inches of rainfall are suited, as a rule, to grazing, but below ten inches vegetation of a valuable sort practically ceases. On the other hand, a rainfall much exceeding fifty inches produces a rank growth harmful to most plants suited to the soil and climate of the United States, although a few plants, as rice and the sugar cane, demand a large amount of moisture. Regions of over sixty inches of rainfall are suited only to these plants, but cotton will thrive when the rainfall is as much as fifty-five inches, and it demands as much as forty inches.

Importance of amount and distribution of moisture.

Distribution of rain in the United States.

An examination of the map showing the average annual rainfall of the United States shows us that the country east of the one hundredth meridian enjoys an abundant rainfall, which gradually increases as one proceeds to the east and southeast. Extensive failures of crops are rare, although they sometimes occur from a lack of rain during the growing season; failures from an excess of moisture are even more rare.

District of scanty rainfall. Shaler's *United States*, I, 17.

West of the one hundredth meridian, especially in the summer, the rainfall rapidly decreases toward the west and southwest — the temperature rising as the rainfall declines. In this way are produced large areas of hot and arid lands ill fitted, or not fitted at all, to cultivation, or even to grazing, unless artificial irrigation is resorted to, excepting narrow strips along some of the river valleys. The winters of this region are also longer and more severe than those of the country farther east.

Rainfall at the Pacific coast.

This district of scanty rainfall extends to the coast ranges of the Pacific. The valley lowlands of the Pacific, with the exception of the valley of the Colorado, enjoy, not merely abundant moisture, but high temperature in the river bottoms, which rapidly diminish as the altitude increases. The result of these conditions is a marvelous cultivation; oranges and wheat grow within a comparatively short distance of one another. There are arid districts on the Pacific coast, and the rainfall is not evenly distributed; but the nearness of the rain-bearing mountains makes irrigation comparatively easy. The same system is also applicable to large regions east of the mountains, but the size of the districts requiring irrigation, and the distance of the water supply, make the carrying out of the enterprise exceedingly expensive. The returns from irrigated lands are usually large, and it is to be hoped that means will be found to develop the system in these warm arid regions west of the one hundredth meridian.

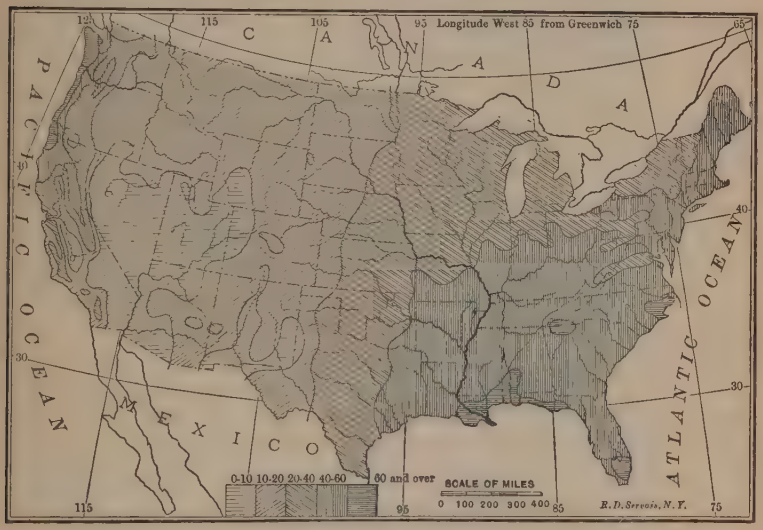
Irrigation.

5. **Physical Formation of North America.** — Students of history and geography have long been agreed that, within

certain limitations as to rainfall and temperature, the physical formation of a country, the character of its soils, and the extent and variety of its mineral deposits exercise a decisive influence on the life of the people which inhabits it. To insure the best development, a country must offer easy access to the outer world. This is especially true of new regions, which require to be colonized from Europe. North America, especially that portion occupied by the eastern

Influence of physical factors on civilization.

Necessity of ease of access.



Average annual rainfall

half of the United States, offers every inducement to the voyager to reach its shores. The low-lying Alleghany system, which protected the colonies from the savage aborigines of the interior, has proved to be easily surmountable by the railroad of modern times.

(1) Value of the Mississippi and St. Lawrence to colonists.

Before the days of steam, the Mississippi basin was difficult of access. Many writers speak of the Mississippi and the St. Lawrence as the keys or gateways to the continent. In a limited military sense this is true; but only in a limited

sense. The St. Lawrence empties into the Atlantic far to the north, where the winters are severe. Its lower valley is very narrow and is beyond the home of Indian corn, the American food stuff, whose easy culture and great returns made colonization farther south comparatively easy. The lower St. Lawrence is in reality a fiordlike arm of the sea, and is navigable — though with peril — by seagoing ships. At Montreal, the seagoing vessel is stopped by a rocky barrier — the Lachine Rapids. It was easy for the Indian trader or the soldier to evade this and other obstacles to the interior; but it was difficult for the colonist to transport his family, implements, and supplies to fertile regions on the southern shores of the Great Lakes. Besides, the St. Lawrence is frozen over for one half of the year, and ice closes the lakes to navigation for nearly an equal period. The Mississippi is not frozen except in its northern portion, and its course is not barred by rocks for thousands of miles; but it offered no less insuperable obstacles to the colonists in its tireless current, winding course, and recurring shallows. The real gateway to the interior was from the Atlantic seaboard of the United States, through the passes of the Alleghanies or around the southern extremity of that mountain system.

(2) Gateway on the continent.

The Pacific coast is less inaccessible. The Golden Gate leads to the great lowland valley of the Sacramento and the San Joaquin; the Columbia affords access to fertile valleys, and Puget Sound opens up another region to the colonist. The Pacific slope, however, was far removed from the colonizing centers of Europe, and its first settlers came, as a matter of fact, overland from Mexico, and not by water from Europe. Hundreds of miles of rugged mountains separate this region from the Mississippi basin. We will now examine the three geographical divisions of the United States more in detail.

(3) Pacific approaches.

6. The Atlantic Seaboard. — This section extends from the water parting which divides the rivers falling into the Atlantic from those flowing into the Mississippi and St. Lawrence. It is about four hundred miles wide and two

Description of Atlantic seaboard.

thousand miles long. It possesses sufficient rainfall, and a range of temperature such as is found on the other side of the Atlantic from the Arctic Circle to Cape de Verde on the western coast of Africa. It is protected on the west by the Appalachian mountain system, which extends from outside the limits of the United States to central Alabama. Never more than four hundred miles in width, the Appalachians are divided into sections lengthwise by fertile valleys more than six hundred miles in length, extending southward from New Jersey to North Carolina. The western range (usually termed the Alleghanies) seldom rises to more than five thousand feet, and is generally fit for the plow. The eastern range (sometimes called the old Appalachian chain) is higher, and interspersed in all directions with fertile valleys.

Shaler's *United States*, I, ch. ii.

The most important breaks in this long chain are those between the Hudson and the St. Lawrence by Lake Champlain, and between the Hudson and the Great Lakes by the valley of the Mohawk. The most important river of this region is the Hudson, which is really an arm of the sea or a tidal river. For more than one half of its length, it lies between high banks, and the influence of the sea is felt even above the mouth of the Mohawk. The low elevation of these breaks in the Alleghanies can be best understood, perhaps, from the statement that a rise in the sea level of one hundred and fifty-two feet would convert all the country east of the Hudson and Lake Champlain into an island, and a similar rise of four hundred feet would separate from the continent all that tract included between the St. Lawrence, the lower Hudson, the Mohawk, and the Atlantic. The Hudson River and the valley of the Mohawk were plainly provided by nature to serve as a means of communication between the fertile lands of the Ohio valley and the sea. Other passes, as Cumberland Gap, lead over the Alleghanies, but none have these easy grades. The seaport which controls the commerce of the Hudson is necessarily the greatest business center of the Atlantic seacoast.

Passes of the Appalachian system.

Natural resources.

The region extending from the Alleghanies to the sea is on the whole of remarkable fertility. Near the coast are salt marshes, which are at present of little use. Between the mountain crest and the low-lying sea area, there is a sudden break in the continuity of the plain. This point is usually marked by falls in the rivers, which furnish, from Virginia northward, unrivaled water power for the turning of the machinery of mills. The whole region is well forested and suitable to the growth of wheat, corn, tobacco, and cotton. It contains some of the richest coal fields and beds of iron in the world. Everywhere splendid harbors, sheltered inland bays, and navigable rivers laid open the country to the seventeenth and eighteenth century colonist, and, in our own day, afford outlets for the products of the country. Great as are the natural advantages of the Atlantic slope, those of the Mississippi basin are even greater.

Characteristics of the interior basin. Shaler's *United States*, I, ch. iii.

7. **The Mississippi Basin.** — This section extends from the crest of the Alleghanies to the crest of the eastern division of the Cordilleran system, or the Rocky Mountains, as they are usually termed. It contains not far from one million square miles of land, nearly all of which is suitable to the uses of man. It is a nearly level area, sloping gently from the west and the east to the center, and from the north to the Gulf of Mexico. It is for the most part a table-land, varying from six thousand to three hundred feet above the sea level, trenched by flood-plain valleys along the paths of the principal rivers. With the exception of the flood plain of the Mississippi below the thirty-sixth parallel, the river bottoms are narrow, and the whole basin is free from the diseases and dangers of low-lying countries, to a degree equaled by no other very great river basin. A better idea of its vast size may be gathered from the statement that the distance from the Gulf of Mexico to the mouth of the Ohio is eleven hundred miles, and from that point to Pittsburgh is fully one thousand miles more.

The Ohio valley.

Measured by the amount of water contributed to the main stream, the Ohio is the largest branch of the Missis-

sippi. A common misconception is to regard the Ohio valley as including only the portion north of the river, probably because of the situation of the state of Ohio. In reality, the valley of the Tennessee is as much a part of the Ohio basin as the valley of the Allegheny. This basin is the richest single division of the continent: the temperature is practically the same as that of the Atlantic slope; the rainfall is abundant; the soil is fertile and admirably suited to the production of corn and wheat, and the mineral resources are exceedingly rich. This basin was forest-clad at the coming of the whites, but there were large spaces of cleared land which could be at once used by the settler.

The prairies.

West of the Wabash, one of the tributaries of the Ohio, there were no trees except in the river bottoms. This was owing to the Indian practice of burning the grass to provide fresh fields for the buffaloes or bisons. There is nothing in the natural condition of this treeless region as far west as the one hundredth meridian to prevent the growth of trees, and already they are springing up around the homesteads of the dwellers in those districts. West of the one hundredth meridian, until the slopes of the Rockies are reached, the rainfall is too scanty for tree life, and this is true of the Great Basin between the Rocky Mountains proper and the Cascade and Sierra Nevada ranges. The treeless region from the Wabash to the one hundredth meridian, including the valley of the upper Mississippi and the Missouri, is admirably fertile and suited to the growth of corn and wheat, the latter in the northern portion. The winters are severe, the summers are often hot, and the rainfall is sometimes not sufficient for the growing plants. Taking everything into consideration, however, this district is the best wheat and corn country in the world. There are also large deposits of coal, and most valuable mines of iron, copper, lead, and zinc.

Lower Mississippi valley.

The soil of the lower Mississippi valley is exceedingly fertile, the rainfall is abundant, and the climate is suited to the growth of plants which require a good deal of moisture, as

cotton and the sugar cane. The flood plain has been subdued by the erection of dikes, known locally as levees, and only about six thousand square miles of this fertile region is too swampy for redemption, except at great cost. Taken all together, and weighing the advantages and disadvantages, it may safely be said that there is no other land of its size on the earth's surface so admirably suited to the purposes of man as the basin of the Mississippi.

Resources of the Cordilleran district. Shaler's *United States*, I, ch. iii.

8. The Cordilleran Region. — The Cordilleran system occupies the whole of the United States west of the one hundred and fifth meridian, with the exception of the upper valley of the Missouri and the valley lowlands of the Pacific slope. It is fully one thousand miles wide on the forty-second parallel. The mineral resources of this district are great and varied; they comprise gold, silver, copper, lead, tin, iron ores, and coal. The climate is healthy; but it is too dry for agriculture, except by irrigation, which has yielded large returns wherever tried. The Great Basin in the interior has an altitude of four thousand feet and over; its excessive dryness renders portions of it unfit for pasturage.

The Pacific coast district includes the valley lowlands of the Sacramento and San Joaquin rivers and of the Columbia and Willamette rivers. The temperature of Southern California is singularly uniform, but in the lowland valley of the Sacramento and San Joaquin the heat is often oppressive. No rain falls in the summer, but the annual rainfall on the whole is abundant, and the country admirably suited to irrigation. Almost any crop can be grown, as wheat, oranges, olives. The mineral resources are great, with the exception of iron; gold, especially, is abundant.

The valley of the lower Columbia enjoys a uniform temperature and abundant moisture; indeed, in places the rainfall is excessive and the climate more nearly resembles that of England than does that of any other portion of America. The soil is deep and fertile, and the forest covering admirable and of great value. Little has been done as yet to develop its mineral resources.

9. Adaptability of the Continent. — The agricultural and the mining regions are arranged in such a manner that the greater portion of the country is suited to varied occupations, which are necessary to give the best results in the growth of a race. The climate is also suited to Europeans. Formerly, it was the habit of foreign writers to picture the American as a thin, lanky man, quite inferior physically to his European ancestor. The application of scientific methods to this problem has dispelled this as well as other delusions of a less critical age.

Effect of this environment on men of European origin. Shaler's *United States*, II, ch. ix; Winsor's *America*, IV.

During the Civil war, thousands of soldiers in the Union armies were carefully measured. These men were drawn

Nativity	Height (Inches)	Weight (Pounds)	Chest (Inches)	
			Full inspiration	After inspiration
New England	67.8	139	36.7	34.1
Middle States	67.5	140	37.0	34.3
Ohio, Indiana	68.1	145	37.5	34.9
England	66.7	137	36.9	34.3
Ireland	66.9	139	37.5	35.2
Germany	66.6	140	37.2	34.7

from all portions of the country, and also included thousands of recent immigrants from Great Britain, Ireland, and Germany. The results of these measurements were published in a remarkable book, from which the above table has been compiled. It will be seen that the American, instead of being the tall, thin-chested, and light-weighted man he is always described as being, is practically as heavy and as stout as the newcomers from Europe; he is slightly taller, but only slightly.

Conclusion.

When one considers all these things, — the climate and the rainfall of the United States, its physical features, its fertile soils and magnificent water powers, its inexhaustible mineral resources, and the effect of this environment on the

physical body, — one must admit that the European race has gained by its transfer from its ancient home to the soil of the United States.

SUGGESTIVE QUESTIONS AND TOPICS

§§ 2, 3. Temperature

a. Give the differences in temperature between Europe and North America, and their causes.

b. Has either continent decided advantage over the other in temperature, and why?

c. What places in the United States have the same annual temperature as northern Spain? the same winter temperature? the same summer temperature?

§ 4. Rainfall

a. Show the connection between the mode of sustenance of a people and its civilization.

b. Represent upon an Outline Map the distribution of rain in the United States, and state its results.

c. Economic study: "Statistics of Irrigation on Pacific Coast."

§ 5. Physical Formation

a. Compare Europe and North America, as to ease of access.

b. Describe the different natural approaches to the North American continent, and compare their excellence.

§ 6. Atlantic Seaboard

a. If all the natural resources of the Atlantic seaboard were utilized, how many different kinds of employments would be possible to its inhabitants?

b. What effect would free trade have upon diversity of occupation?

c. Can you find an argument in this section for or against free trade in the United States?

§ 7. Mississippi Basin

a. Make a written comparison of the Mississippi basin and the Atlantic seaboard. Explain fully the advantages of the former.

b. What are the distinguishing characteristics of the three subdivisions of the Mississippi basin?

§ 8. Cordilleran Region

a. Give a general description of the Cordilleran region.

b. Name and characterize its subdivisions.

§ 9. Adaptability of the Continent

a. Give the testimony of statistics as to the influence of the conditions of the American continent upon European races.

General Questions

a. Present the materials of this chapter in the form of a digest.

b. Assign the three following subjects: "Temperature," "Rainfall," "Physical Formation of the United States," individually to members of the class for reading in the special accounts and elsewhere; let each put topical analysis of his results in the form of a report either written or oral.

CHAPTER I

DISCOVERY AND EXPLORATION, 1000–1600

Books for Consultation

General Readings. — Higginson's *Larger History*, 27–108; Thwaites's *Colonies*, 20–32, 36–42; Gay's *Bryant's Popular History*, I, 118–200.

Special Accounts. — Markham's *Columbus;* C. K. Adams's *Columbus* (M. A.[1]); Winsor's *America*, I, 69–75, II, 1–23, 129–152, 231–283, 473–498, III, 1–7, IV, 5–11, 47–62, 105–130; *Winsor's *Columbus;* *Fiske's *Discovery of America;* Lowery's *Spanish Settlements;* Parkman's *Pioneers of France* (ed. 1887), chs. vii–ix; Froude's *English Seamen;* Bourinot's *Story of Canada;* *Corbett's *Sir Francis Drake;* Channing's *United States*, I, chs. i–v.

Sources. — Higginson's *American Explorers; American History Leaflets; Old South Leaflets;* *Hart's *Contemporaries;* *Payne's *Elizabethan Seamen.*

Maps. — The best collection of facsimiles for the use of students is Ruge's *Die Entwickelung der Kartographie* (published by Petermann, *Mitteilungen*, ergänzungsheft, No. 106, price $2.00). Other collections are Winsor's *America*, Vols. I, II, III, and IV; Winsor's *Columbus* and his *Cartier.*

Bibliography. — Channing and Hart, *Guide to American History*, §§ 56 a, 56 b (General Readings), §§ 78, 81–90, 92–95 (Topics and References).

Illustrative Material. — Irving's *Columbus* (abridged edition); Prescott's *Conquest of Mexico* and *Conquest of Peru;* Lummis's *Spanish Pioneers;* Wallace's *Land of the Pueblos;* Yule's *Marco Polo;* J. I. Lockhart's *Memoir of Bernal Diaz.*

Longfellow's *Discoverer of the North Cape, Skeleton in Armor* and *Sir Humphrey Gilbert;* Lowell's *Columbus;* Tennyson's *Columbus;* Kingsley's *Westward Ho!;* Cooper's *Mercedes of Castile;* Simms's *Vasconselos.* For other titles see *Guide*, § 36 a.

[1] "Makers of America" series, and so throughout these lists of references.

DISCOVERY AND EXPLORATION, 1000–1600

10. Voyages of the Northmen. — It is reasonably certain that the hardy seamen of northern Europe — the Northmen, as they are called — were on the coasts of North America in the eleventh and twelfth centuries. The evidence for their voyages is found in certain old documents called "sagas." Some of them relate the stories of kings and heroes ; others, as those which describe the discovery of Vinland or America, represent traditions that had been handed down by word of mouth for generations. At length, some one wrote the story on parchment, and, in this way, preserved the knowledge of these wonderful voyages for the use of students of later centuries. Of course, it is probable that the writers of the sagas forgot or misplaced the exact details of these far-off voyages. It is also unfortunate that many of the original manuscripts of the sagas relating to America were destroyed by fire in the eighteenth century, and we know them only through copies which happened to be preserved in other places. The loss of the originals is especially to be regretted, because some of these copies contain passages which appear to have been inserted by the copyist. The most detailed account of the voyages to America is contained in a saga, usually termed the "Flatey Book," which was compiled after the other sagas in the closing years of the fourteenth century. In this document the finding of Vinland is ascribed to a man named Biarni. All the other sagas agree in the statement that Leif, the son of Eric, discovered Vinland while on a voyage from Iceland to Greenland. Moreover, the account of the voyages to Vinland is plainly inserted in the Flatey Book, as it has no reference to what goes before or follows ; nor is Biarni's discovery even mentioned in any other Icelandic work now existing. Students, therefore, are compelled to discredit the statements in the Flatey Book, except as they agree with those in other sagas. The slight reliance to be placed

The "sagas."

Credibility of the sagas. *Reeves's *Finding of Wineland.*

Credibility of the "Flatey Book." *Reeves's *Wineland.*

on this manuscript is the more to be regretted as it is this saga which contains the most detailed accounts of the voyages of the Northmen.

The voyage of Leif Ericson, A.D. 1000. *Winsor's *America*, I, 61–69; Fiske's *Discovery*, I, 164; *American History Leaflets*, No. 3.

There can be little doubt that Leif Ericson was the first Northman to see Vinland, and that he made this voyage in the year 1000, or just before, as it was made in the same summer in which another Northman sailed from Norway to Iceland; and the date of the latter's voyage is tolerably well ascertained. It is almost certain that Vinland was some part of North America; but as to its exact location, there is no definite information.

These hardy navigators made many other voyages to Vinland; but gradually they ceased coming, and all memory of the western land faded away, except as it existed in old manuscripts which were known only to a few scholars.

The Newfoundland fisheries.

11. **English and French Fishermen.** — It is probable that other European mariners were on the American coasts before 1492; but of their voyages there is not as much knowledge as there is of the expeditions of the Northmen. These later seamen were English and French fishermen who sailed across the North Atlantic to fish for cod off the shores of Labrador and Newfoundland. It is improbable that these early voyagers realized that the lands which they visited were portions of a new continent; they thought that they were parts of European and Asiatic lands, and Greenland is so represented on the maps of that period.

Geographical ideas of the ancients. *Winsor's *Columbus;* Markham's *Columbus.*

12. **Early Geographical Ideas.** — The idea that the earth was spherical in shape, and not flat, as had been taught in the Homeric poems, was held by many learned men among the ancients. For instance, Aristotle, a Greek philosopher who lived in the fourth century before the birth of Christ, had proved to his own satisfaction, by observations made during eclipses and in other ways, that the earth was round. This theory had been held by men who lived before Aristotle; but the idea seems to have been regarded as novel when he wrote. A most remarkable statement was made on the subject by another Greek writer, Eratosthenes, who

lived in the third century before Christ. His works are lost, but according to Strabo, a Roman geographer (B.C. 40–A.D. 60), he wrote: "If the extent of the Atlantic Ocean were not an obstacle, we might easily pass by sea from Iberia to India, still keeping the same parallel, the remaining portion of which occupies more than a third of the whole circle. But it is quite possible that in the temperate zone there may be two or even more habitable earths."

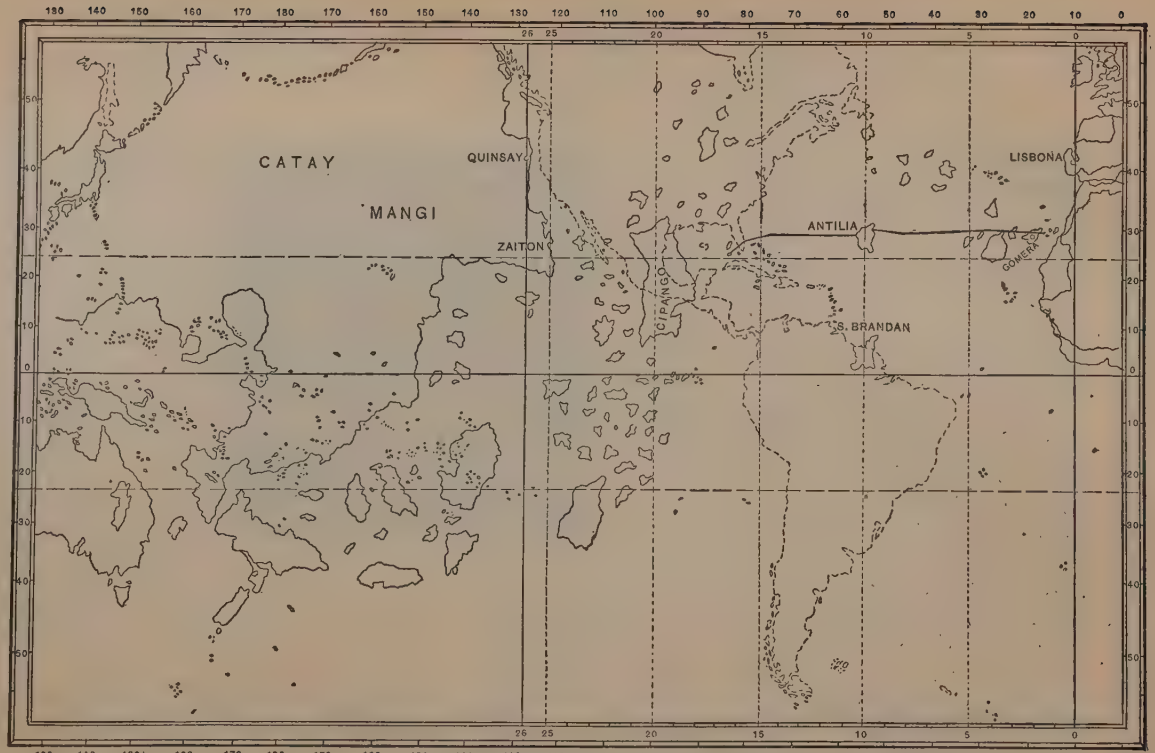
Preservation of the theory during the Middle Ages. *Winsor's *Columbus;* Markham's *Columbus.*

The globular theory of the form of the earth was preserved during the Middle Ages by the Arab philosophers; it also appears from time to time in the writings of Christian authors. For instance, Roger Bacon, one of England's earliest and one of her greatest thinkers, refers to it. It was Bacon, too, who first interpreted famous passages in Seneca, that it was only a short distance from Spain to the Indies, to mean the distance westward across the Atlantic.

Toscanelli and Columbus. *Winsor's *Columbus.*

13. Ideas of Toscanelli, Behaim, and Columbus. — Among other scholars who took an interest in these matters was an Italian, Paolo Toscanelli; to him Columbus wrote for advice (1474). Toscanelli replied with a long letter illustrated by a map. The precise date on which this letter reached Columbus and the impression it left on his mind cannot be stated. The map has long since disappeared; the representation of it given herewith is simply an attempt to show the relation of Toscanelli's ideas to the actual fact. There is, however, a map, or rather a globe, which presents the ideas of the period just preceding the discovery of

Toscanelli

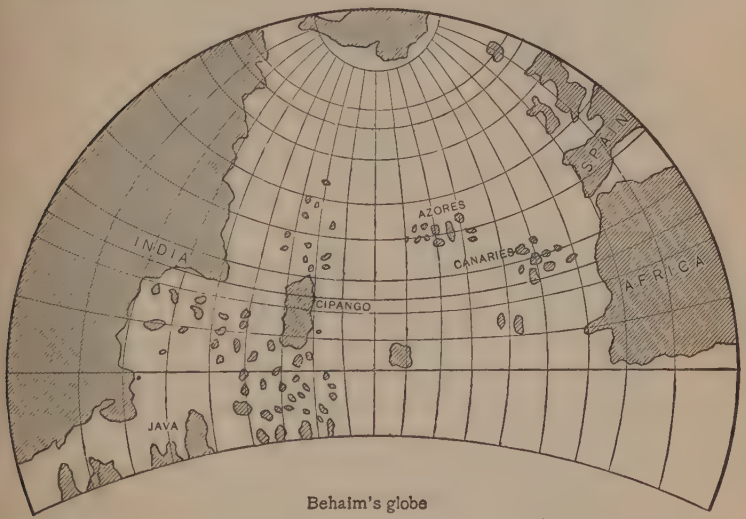


Map showing geographical ideas of Toscanelli

From Italian Columbian Commission *Report*. (The black line shows route advised by Toscanelli; the dotted line shows position of America.)

America. The maker was Martin Behaim, a German navigator, who had already sailed along the shores of eastern Africa. He completed the globe in the summer of 1492, before he heard of Columbus's discovery. The portion of it which relates to the subject in hand is here reproduced. Both Behaim and Toscanelli thought that the earth was about three fourths as large as it really is because they had no

Behaim's globe. Winsor's *Columbus*, 186–190; Winsor's *America*, II, 104.



Behaim's globe

idea of the great masses of water which lie between western Europe and eastern Asia. One result of this error was to place Japan (called Cipango on Behaim's globe) where Mexico really is. Looking at the facsimile of Behaim's globe, it is easy to understand what it was that Columbus tried to do when he sailed forth on his great voyage; it is also easy to understand how he was led to believe that he had reached an outlying Asiatic land when, as a matter of fact, he was off the coast of Cuba. It is fortunate that this mistake arose, or Columbus would not have set out on his voyage. Japan is really about ten thousand miles west

Columbus's mistaken theories.

of Europe; Columbus maintained that it was only three thousand miles west of the Canaries. It was difficult to procure men and vessels for the shorter voyage; it might have been impossible to obtain either the one or the other for such a tremendous venture as the real problem demanded. As it was, the task to which Columbus set himself was without precedent. For a thousand years wise men had believed the earth to be a ball, and that Asia might be reached by sailing across the Sea of Darkness; until Columbus appeared, no one had deliberately set forth to test the truth of the theory:

Clough's *Columbus*.

> What if wise men, as far back as Ptolemy,
> Judged that the earth like an orange was round,
> None of them ever said, "come along, follow me,
> Sail to the West and the East will be found."

The voyage. *Winsor's *Columbus*; Irving's *Columbus* (abridged ed.), 55–119; Fiske's *Discovery*, I, 419; *American History Leaflets*, No. 1.

14. Columbus's First Voyage, 1492. — On the 3d of August, 1492, the little fleet of three vessels passed out of the roadstead of Palos; on August 24 and 25 the Peak of Teneriffe was in sight; and, on September 3, the Canaries were behind them. Westward they sailed, wafted along by light easterly breezes, with every now and then a calm; at one time the weeds of the Sargasso Sea were around them, and they steered northward to avoid them, and then westward again. On October 7, after they had been out of sight of land for more than a month, Martin Alonzo Pinzon, the captain of the *Pinta*, induced the admiral to change the course of the fleet to the southwest. It was well that he did so. Had the vessels continued longer on their westerly course, they would have passed north of the Bahamas, out of sight of land, have become involved in the current of the Gulf Stream, and have reached the American shores in the stormy region of the Carolina coasts. As it happened, however, on the evening of October 11, Columbus saw a light in the distance, and at two o'clock the *Pinta*, which was in advance, made land. When day dawned, the land was in plain sight; it proved to be an island, called by the

Indians Guanahani; but which of the three thousand islands and islets of the Bahama group this island was, no one knows, nor, in all probability, ever will know. Sailing thence, Columbus reached the northern coast of Cuba, and, doubling back on his course, discovered the island of Santo Domingo, or Española, as it was called at the time; the Indian name was Haiti. After many adventures and great hardships, Columbus returned to Spain, having lost his largest ship off the coast of Española. At Barcelona, he was received by Ferdinand and Isabella with great splendor. He had most wonderful stories to tell, which lost nothing in the telling; he also had many interesting things to show them, — ornaments of gold, curious woods, and, above all, some natives of the Indian islands on the other side of the Ocean Sea.

15. **Columbus's Later Voyages.** — A large expedition was at once fitted out, and Columbus sailed to take possession of the magic islands; but his later career was not fortunate. There was little treasure to be found in the lands first occupied by the Spaniards, and Columbus's despotic temper, well suited to the explorer, proved a misfortune to the founder of a colony. Harshness and a failure to fulfill his promises led to rebellion. In 1496 he returned to Spain for reinforcements. On this second voyage he had explored the southern coasts of Cuba and had discovered the island of Jamaica.

The second voyage, 1494. *Winsor's *Columbus.*

The year 1498 saw him again on the western side of the Atlantic. This time he pursued a more southerly route, reached the northeastern corner of South America, and found himself in the mouth of a mighty river, — the Orinoco. The new land was plainly no outlying island of India, for the river was continental in magnitude. For a while Columbus was sorely puzzled, but only for a time. Suddenly, he made up his mind that the earth was not round as a ball, but was shaped like a pear, and that this mighty river flowed down from the terrestrial paradise which was situated at the stem end. Thence he sailed northward

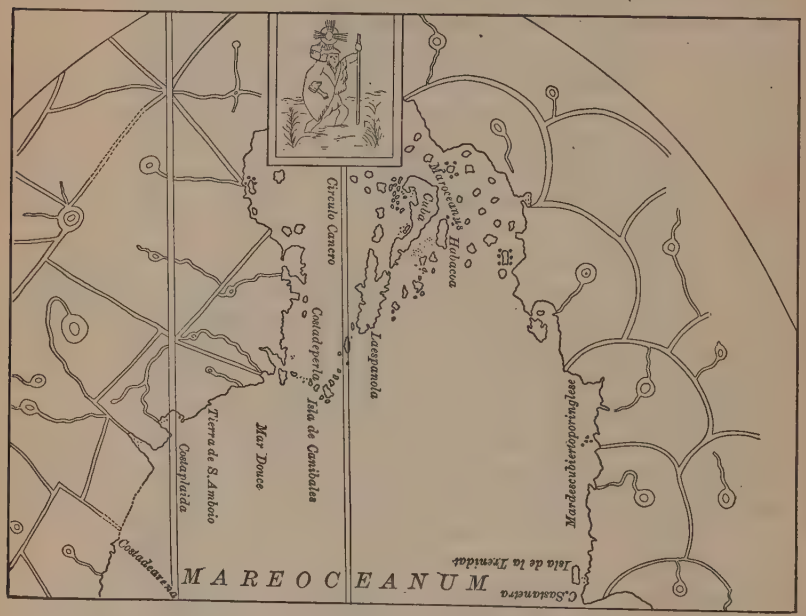
The third voyage, 1498. *Winsor's *Columbus;* Higginson's *Explorers,* 31–50.

New theory as to the shape of the earth. *Winsor's *Columbus.*

to Santo Domingo. In 1500 he returned to Spain under arrest, to answer complaints which had been made against him by the Spanish colonists.

The fourth voyage, 1502. *Winsor's *Columbus.*

In 1502 he was once more in the West Indies in search of a waterway to Cathay between Cuba, which he still believed to be a part of the Asiatic mainland, and the new



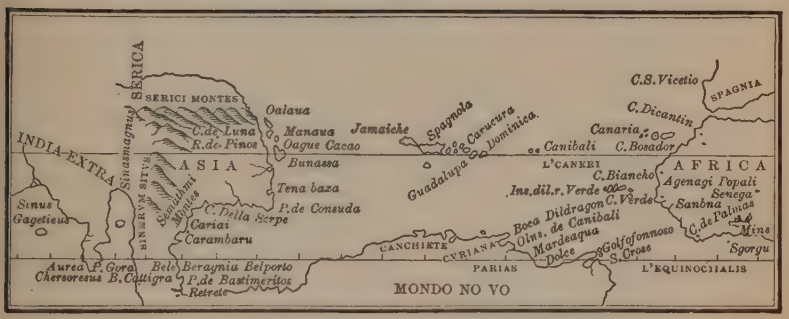
Map made by La Cosa, 1500

continent discovered on his third voyage. He coasted the eastern shores of Central America from Honduras to the Isthmus of Panama; he found no strait leading to China, but he heard vague rumors of a great body of water on the other side of the land along which he sailed. The reports made slight impression on his mind; for was not the Indian Ocean there? — if only one could reach it. At last he abandoned the attempt to find the waterway and, after suffering

great hardships, returned once again to Spain and there died in 1506, scarcely noticed by his contemporaries.

16. The Cabot Voyages, 1497, 1498. — Meantime, other explorers had not been idle. In 1497 John Cabot, born in Italy, but living in Bristol, England, sailed across the North Atlantic under a license from Henry VII, the first of the Tudor kings. He made land far to the north of Columbus's landfall, in the vicinity of the Gulf of St. Lawrence. Our knowledge of his voyage is derived from the official documents authorizing the expedition, and from letters written

First Cabot voyage, 1497. Winsor's *America*, III, 1–7; Fiske's *Discovery*, II, 2.

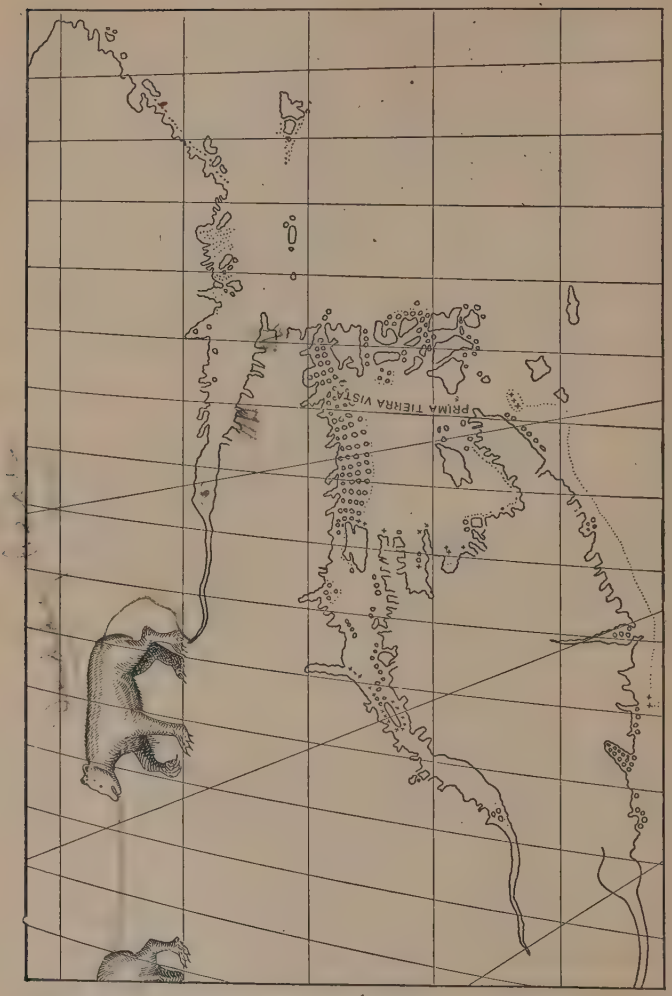


Map made by Bartholomew Columbus before 1502
(Note connection between "Mondo Novo" and Asia.)

by other Italians, then in England, to their employers or friends in Italy: there is no statement from John Cabot himself now known to scholars. From these accounts it is possible to state that the voyage was made in 1497, and that John Cabot, and not his son Sebastian, was the commander; more than this cannot be asserted from contemporary evidence, not even as to the precise point of the American shore reached by the great navigator. There is in Paris a large engraved map which is supposed to have been made by Sebastian Cabot, who may have sailed with his father in 1497, or may have remained at home in Bristol with the younger brothers. A reduced sketch of a portion of this map is given herewith. The map contains an inscription,

Evidence for the first voyage. *American History Leaflets*, No. 9.

The "Cabot map." Winsor's *America*, III.



The Cabot Map, 1544

attached to what was probably intended to represent Cape Breton Island, that this was the first land seen — *prima tierra vista*. It is on this discovery of John Cabot that the English based their claim to the right to colonize North America.

17. The Naming of America. — Another Italian to visit America at an early day was Americus Vespucius, whose name is spelled in so many different ways in the original accounts that it is very difficult to recognize the real Vespucius. In one place it is given as Alberic, again it appears as Morigo, and again as Vespucci. It is certain that there was a man named Amerigo Vespucci or Americus Vespucius; that he visited the northern coast of South America at an early time; that he printed an account of what he saw; and that he rose to high rank in the Spanish service. It is also certain that America was named in his honor; but not much more is really known as to his connection with American history. Some writers think that as early as 1497 he sailed along the shores of Florida even as far north as Chesapeake Bay; others believe that this early expedition was to the northern coast of South America; more cautious students decline to recognize any particular voyage as having been made by him. It happened, however, that in 1504 he wrote an account of his experiences in the New World for the perusal of an Italian friend of his. This paper found its way to a little college which Duke René of Lorraine had established at St. Dié in the Vosges Mountains. There, in 1507, it was printed at the College Press with an introductory part entitled *Cosmographiæ Introductio*. This was written by the teacher of geography in the college, a man named Martin Waldseemüller, who preferred to be known on the title-page as Hylacomylus. It is probable that before writing this introduction Waldseemüller consulted his fellow-teachers, among whom was at least one admirer of Americus. Whoever may have first suggested it, the *Introductio* contains a proposal that the new-found world should be named America, in honor of the person whom Waldseemüller understood had discovered it, — retaining Columbus's names for the islands which the latter had brought to light. There is no reason to suppose that Waldseemüller and his comrades intended to lessen the honor due to Columbus. Probably they knew nothing of his voyage to the Orinoco,

Americus Vespucius. Winsor's *America*, II, ch. ii, and **Columbus*, 538; Markham's *Columbus*, 344.

His letter of 1504. *Old South Leaflets*, X, No. 5.

Proposal to name the New World America. Winsor's *America*, II, 146–152; Fiske's *Discovery*, II, 129–145.

for the Spanish government was very secretive as to the discoveries made by its mariners; nor is there any reason to suppose that Americus Vespucius knew of their design. The proposed name found favor before long and was placed on South America on the maps of that time. Later, when it became certain that the American continents were one and were not connected with Asia, the name spread over the whole New World.

Acceptance of the name.

Nūc ꝟo & hę partes ſunt latius luſtratæ/& alia quarta pars per Americū Veſputiū(vt in ſequentibus audietur)inuenta eſt/quā non video cur quis iure vetet ab Americo inuentore ſagacis ingenij viro Amerigen quaſi Americi terrā / ſiue Americam dicendā: cū & Europa & Aſia a mulieribus ſua ſortita ſint nomina. Eius ſitū & gentis mores ex bis binis Americi nauigationibus quæ ſequunt̄ liquide intelligi datur.

America

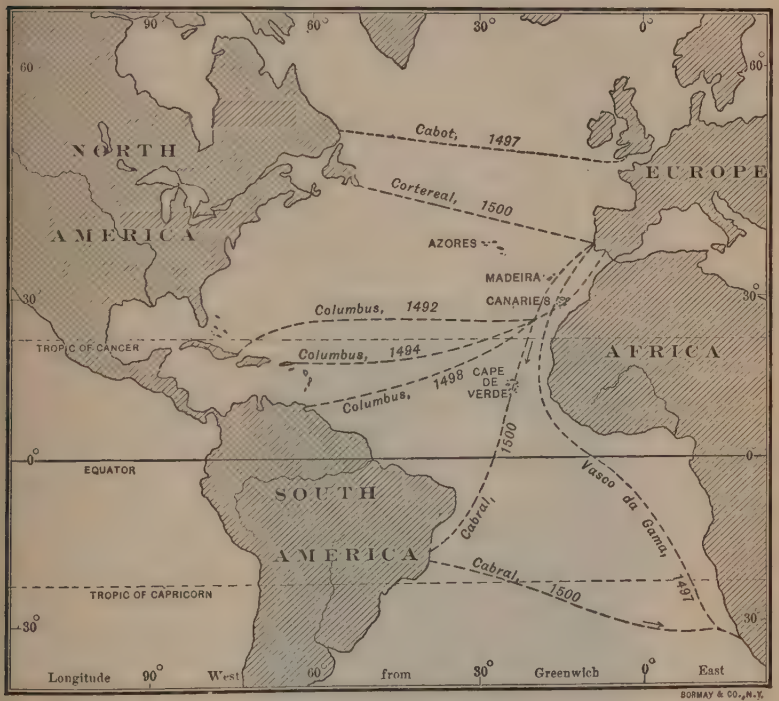
Facsimile of Passage in the *Cosmographiae Introductio*

Vasco Nuñez de Balboa. *Winsor's *America*, II, ch. iii; Fiske's *Discovery*, II, 365.

18. **Discovery of the Pacific, 1513.** — The discoverer of the Pacific was a Spanish adventurer named Vasco Nuñez de Balboa, who is usually called Balboa by writers of English. He had come to the western world in search of easily acquired wealth, and found himself a bankrupt and a rebel. A man of great energy, he soon became the leader of rebels. One day, while on an expedition, an Indian chief, observing the greed of the Spaniards for gold, told them that beyond the mountains which lay inland was a great sea, on which were ships like those of the Europeans, and he declared that the lands bordering on this ocean abounded in gold and silver. Here was the opportunity for Vasco Nuñez to recruit his fortunes and by a great exploit to atone for his rebellion. On Sept. 25, 1513, he found himself on the crest of the Cordilleras. At the base of the mountains glittered

Discovery of the Pacific, 1513.

the waters of an unknown sea. The Isthmus of Panama extends from west to east; the new sea was therefore to the south of the isthmus. Accordingly, Vasco Nuñez called it the Mar del Sur, or South Sea, to distinguish it from the Mar del Norte, or North Sea, as the Spaniards termed the



Routes of the Discoverers

Caribbean. For a long time the great ocean was known to writers of English as the South Sea, but now it is generally called the Pacific. This name was given to it by a Portuguese, Fernando da Magalhaens, whom we call Magellan; he was the first European to reach it by water from the Atlantic.

Vasco da Gama discovers a sea route to India, 1497.

19. Circumnavigation of the Globe. — The Portuguese were among the most daring seamen of that time. Before Columbus ventured to cross the Ocean Sea, some of them had sailed along the western coast of Africa to the Cape of Good Hope; in 1497 one of their greatest captains, Vasco da Gama, passed the Cape of Good Hope, sailed through the Indian Ocean, reached Calicut in India, and returned safely home. He had found a sea route to India, which Columbus had failed to do.

Cortereal on the coast of Labrador, 1500.

In 1500 another Portuguese mariner, Gaspar de Cortereal, gained the shores of Labrador, and discovered the entrance to Hudson Strait, which it was hoped would prove to be a waterway leading to Cipango and Cathay. In the same year, still another Portuguese navigator, Pedro Alvarez Cabral, sailed from Portugal for India by the Cape of Good Hope. Steering somewhat to the westward of Vasco da Gama's track, he sighted the coast of Brazil to the southward of the point which had probably been discovered by Spanish voyagers not long before.

Cabral on the coast of Brazil, 1500.

Magellan

Magellan Strait, 1520. Winsor's *America*, II, ch. ix; Larned, 62.

Nineteen years later, Magellan, Portuguese born and bred, but now in the service of Spain, sailed in search of a strait leading to the South Sea. On the 28th of November, 1520, he sailed out of the western end of the strait which bears his name and found himself on the Pacific. Steering

boldly across that great water, he discovered the Philippine Islands, where he was killed in an encounter with the natives. When his fleet left Spain, it had numbered five vessels; of these one had been cast away, another had been carried home by a mutinous crew, and two more were now abandoned. In the remaining vessel, the *Victoria*, the survivors made their way back to Spain around the Cape of Good Hope, circumnavigating the world for the first time.

Circumnavigation of the globe.

20. Florida, 1513. — The Spaniards had known of the mainland of the United States at least since 1500, because the peculiar features of the continental outline are clearly shown on the early maps. The first Spanish voyager whose name is associated with the land is Ponce de Leon. In 1513 he sailed from the Bahamas to explore a northern region which was said to be rich in gold and silver, and to have a perfect climate. On Easter Sunday he anchored in sight of the coast not far from the present St. Augustine. He called the new land Florida, from the Spanish name for Easter, Pascua Florida. From this point he sailed around the southern end of the peninsula of Florida and traced the western coast as far north as Tampa Bay.

Ponce de Leon discovers Florida, 1513. Winsor's *America*, II, 232–236.

In 1521 Ponce de Leon again sought the shores of Florida and attempted to found a settlement on that coast; but the venture ended in disaster. Sickness among his men, hostile natives, and a serious wound drove him back; he reached Cuba only to die. Thus ended the first of a long series of attempts to plant a colony within the present limits of the United States.

First attempt to found a colony within United States, 1521.

21. Mexico. — The conquest of Cuba was undertaken soon after 1508. As the Cuban natives could not provide the labor required by the Spaniards, vessels were sent off to the north and to the west to capture slaves. One of these slavers, driven from its course by winds and currents, reached the coast of Yucatan (1517). This region had already been examined, but all remembrance of the earlier exploration seems to have disappeared. Mexico was soon afterward discovered, and its conquest intrusted to Hernando Cortez (1519–21). The story of this wonderful

Cuba and Yucatan.

Conquest of Mexico. Winsor's *America*, II, ch. vi.

episode lies outside the limits of this work; it may be read in the homely words of Bernal Diaz del Castillo, whose *Historia Verdadera*, or *True History of the Conquest*, has been admirably rendered into English by Lockhart, or it may be studied in the more polished pages of Prescott, whose work is largely founded on the former.

The Atlantic coast. Winsor's *America*, II, 238–241.

22. The Atlantic Coast. — In 1526 Lucas Vasquez de Ayllon led an expedition of five hundred persons, among them a few negro slaves, to Chesapeake Bay and began a settlement on or near the site of the later Jamestown. Fever attacked the colonists; in a few months Ayllon and three hundred and fifty of the original five hundred were dead. The survivors abandoned the enterprise and returned to Santo Domingo.

Voyage of Gomez. Winsor's *America*, II, 241.

Meantime, not earlier than 1524, nor later than 1526, Estevan Gomez, one of the mutineers who had deserted Magellan on the threshold of his great discovery, is supposed to have sailed along the eastern coast of North America from Labrador to Carolina. If the voyage was made, which is at best doubtful, it was made in the service of the Spanish government.

Verrazano's voyage, 1524. Winsor's *America*, IV, 5–9.

23. The Verrazano Voyage, 1524. — Giovanni da Verrazano was a native of Florence, Italy. In 1524 he sailed for the American coasts under the direction of Francis I, king of France and the bitter enemy of Charles V, emperor and king of Spain. Verrazano sighted land somewhere near Cape Hatteras; he steered southward for a short time, then turned northward and left the coast in the vicinity of Nova Scotia. On his way north he entered New York and Newport harbors. The documents on which our knowledge of this voyage rests are a letter which Verrazano on his return wrote to the French king, and a map which his brother Hieronimo made in 1529. The map is preserved at Rome. Some students have pronounced the letter to be a forgery, and have argued that the map could have been constructed from the accounts of other explorers. At the present time, however, there is a disposition to believe in the genuineness of both pieces of evidence.

The map, Winsor's *America*, IV, 26. The letter, Higginson's *Explorers*, 60–69; *Old South Leaflets*, VII, No. 1, Gen. Ser., No. 17.

24. Wanderings of Cabeza de Vaca, 1527–36. — Panfilo de Narvaez, an active Spanish adventurer, resolved to conquer the region lying to the north of the Gulf of Mexico. He easily obtained the necessary permission from the Spanish government, and in 1528 led a large and finely equipped expedition to the southern coast of the present United States. For years nothing more was heard of him or his men. At length (1536) one of the officers of the expedition, Alvar Nuñez Cabeza de Vaca, appeared at San Miguel, a little Spanish village on the western coast of Mexico; with him were three companions, one of them a negro. He had a most curious and interesting story to narrate: for years he and his companions had wandered from one Indian settlement to another, regarded in one place as "great medicine men," in another as attractive curiosities. He had heard rumors of immense herds of wild cows — the buffalo or bison of North America; he had also heard of wonderful cities in the interior, whose doorways were studded with precious stones. It was further reported to him that gold and silver were abundant in these "seven cities of Cibola."

Narvaez lands on the coast of Florida, 1527.

Journey of Cabeza de Vaca, 1528–36. Winsor's *America*, II, 243; Higginson's *Explorers*, 73–96; *Old South Leaflets*, XI, No. 1.

Attracted by these tales of treasure, Mendoza, the viceroy of Mexico, determined to ascertain the truth. He dispatched on this errand (1539) a certain Friar Marcos de Nizza, who had already made his way on foot from Panama to Mexico. Friar Marcos passed the desert between Mexico and the pueblo region and saw one of the pueblos or villages from a distance; he then fled for his life and reported his doings to Mendoza. On first reading the account of his journey, one is tempted to doubt his truthfulness; a more careful perusal will convince the student that the worthy friar reported what he saw with accuracy, and carefully separated the accounts of what he actually saw from the stories which he had gathered from the natives along the route. His countrymen, however, exercised no such care; soon Mexico resounded with most marvellous tales of the size and splendor of these cities in the interior.

Friar Marcos sees one of the "cities," 1539. Winsor's *America*, II, 475–480.

Coronado conquers the pueblos. Winsor's *America*, II, 480–498; *American History Leaflets*, No. 13; Hart's *Contemporaries*, I, No. 24.

25. Coronado's Expedition, 1540–42. — A great army was fitted out to conquer this wonderful land: the commander was Francisco Vasquez Coronado, who set forth abundantly supplied with everything needful for the success of the enterprise. The army, with its baggage train, was too large to move rapidly, and Coronado, clad in gilded armor, went on in advance with a large force of mounted men. He reached and conquered pueblo after pueblo, but found no gold. These great Indian villages, which are so full of instruction and interest for the modern student, were equally full of disappointment for the Spanish conquerors. The cities of which so much had been said were merely Indian pueblos of sunburned clay; nor were they as large as had been reported, for Friar Marcos had been deceived by the peculiar effect of the atmosphere in those rainless regions, which makes distant objects appear far larger than they really are. The jeweled doorways proved to be the hatchways leading from the flat roofs of the pueblos into the rooms beneath; they were ornamented with the rough gem stones of the Rockies picked up in the neighborhood. Gold was not to be found, but report said that Indians living to the northward possessed it. Northward, therefore, went Coronado and a portion of his gallant band: they came across herds of wild cows so vast that they could not ride through them; they also crossed immense treeless plains devoid of all landmarks to guide the traveler. The best-mounted men, who pushed on ahead of the others, probably reached the central part of the present state of Kansas. Everywhere the same hopeless tale, — there was no gold. The great expedition returned to Mexico, to the disappointment and dismay of every one, and Coronado, broken-hearted, disappears from history. While on the return journey to Mexico, an Indian woman ran away from Coronado's expedition; nine days later she fell into the hands of another band of Spaniards, — men belonging to De Soto's army, which had marched overland from the Atlantic slope.

Disappointed hopes.

Coronado rides northward to Kansas.

26. De Soto's Expedition, 1539–43. — Hernando de Soto had borne a part in the cruel conquest of Peru, which has forever blackened the memories of the Pizarro brothers. In 1539 he landed on the western coast of Florida. He had with him five hundred and seventy men, magnificently equipped for the conquest of another Peru or another Mexico. In the course of the next three years he and his followers wandered along the eastern slopes of the Alleghanies as far north as the Savannah River; thence southward and westward nearly to Mobile Bay; from that point, proceeding northward, they reached the Mississippi near the site of the present city of Memphis. There they crossed the great river, and some of them penetrated westward nearly as far as the line of Coronado's return journey. De Soto died, and the survivors of his expedition built boats on the banks of the Mississippi, voyaged down that stream, coasted the shores of Texas, and reached the Spanish settlements in Mexico. Like Coronado's men, they, too, had found no treasure. Nothing but disappointment attended these early Spanish explorations of the southern portion of the present United States.

De Soto lands on the coast of Florida, 1539. Winsor's *America*, II, 244–254; Higginson's *Explorers*, 121–140.

He reaches the Mississippi, 1540.

27. The French in the St. Lawrence, 1534–1541. — The Spaniards confined their early efforts mainly to the country south of Delaware Bay; the French, on the other hand, were more active in the northern regions. French fishermen had frequented the seas off Newfoundland, but the first voyage to the Gulf of St. Lawrence of which we have trustworthy information was made by Jacques Cartier in 1534. Sailing through the Straits of Belle-Isle, between Newfoundland and Labrador, he first explored the southern coast of that desolate land; he then steered southward and discovered Prince Edward Island, which he named Isle St. Jean; thence westward and northward to a harbor where the heat of the Canadian summer was so great that he named it Baie des Chaleurs. Passing on, he found the island of Anticosti, standing in the midst of a waterway which he hoped would prove to be the long-sought-for northwestern passage to India and Cathay. He then returned to France.

Cartier's first voyage, 1534. Winsor's *America*, IV, 47–50; *Bourinot's *Story of Canada*, ch. iii; Hart's *Contemporaries*, I, No. 35; Higginson's *Explorers*, 99–104.

Cartier's second voyage, 1535; Winsor's *America*, IV, 50–55; Higginson's *Explorers*, 104–117.

The next year (1535) Cartier was again in the Gulf of St. Lawrence. This time he sailed boldly between Anticosti and Labrador, passed the heights on which Quebec now stands, and proceeded westward and southward until his further progress toward China was barred by a rocky barrier, which was later called the Lachine Rapids. On the northern bank was a high steep hill which Cartier named Mount Royal. Around its base, the head of navigation from the sea, there has grown up the city of Montreal. Cartier wintered on shipboard in the St. Lawrence, which he now knew to be a river; in the following spring he returned to France. After an unsuccessful attempt to plant a colony in this region, the French sought the warmer regions of the southeastern portion of the present United States.

Cartier

Ribault's colony on Port Royal Sound, 1562. Parkman's *Pioneers*, 33–47; Higginson's *Explorers*, 143–159.

28. The Huguenot Colonies, 1555–65. — Gaspard de Coligny, the leader of the French Protestants or Huguenots, determined to found a colony in the New World. In 1562 he sent Jean Ribault, a gallant Huguenot seaman, to explore the shores of what are now the states of Florida and South Carolina. On May Day of that year he entered the mouth of the St. John's River in Florida, naming it the River of May. Thence he sailed northward along the shore, finding the natives everywhere friendly, the land and the climate all that could be desired, and he and his comrades persuaded themselves that all the signs pointed to an abundant supply

of treasure. Some of his men volunteered to remain on the shores of Port Royal Sound, where they then were, to hold the country for the king of France until Ribault should return with recruits and supplies. They soon tired of the hardships of their life in the New World. Embarking on a crazy, half-made boat they drifted slowly across the Atlantic, only to be captured by an English ship when within sight of the coast of France.

Two years passed away, and again a French fleet approached the Carolina coasts (1564). This expedition, which was designed to occupy the country, was commanded by René de Laudonnière. Finding Ribault's colonists gone, he steered southward from Port Royal Sound and founded his settlement on the southern bank of the River of May (the St. John's River). The colonists built a fort, which they named Fort Caroline in honor of the young king, Charles IX. Their further history was one series of misfortunes: starvation, unfortunate conflicts with the natives, and mutiny followed each other in rapid succession. Some of the mutineers sailed away to plunder the Spanish towns in the West Indies, and they gave the Spaniards the first information of the existence of the French settlement in Florida.

The colony on the River of May, 1564. Parkman's *Pioneers*, 48–95; Hart's *Contemporaries*, I, No. 36; Higginson's *Explorers*, 159–166.

29. Destruction of the French Colony, 1565.—The Spaniards were greatly alarmed when they learned of this French settlement on the St. John's River. The Florida peninsula formed one side of the channel through which the Spanish fleets frequently passed on their way to Spain, laden with the gold and silver of Mexico. Several vessels had been lost on the coast of Florida or on the islands which fringe its shores; but all attempts to occupy this region had hitherto been unsuccessful. Pedro Menendez de Avilés, a Spaniard, had already begun to fit out an expedition to search for his son, whose ship had been lost in the vicinity of Florida, when news of the French colony reached Spain. He was now strongly reinforced and directed to destroy the French settlements.

The Spaniards plan the destruction of the colony. Parkman's *Pioneers*, 96–130.

Hawkins and the French colonists.

August, 1565, saw the gallant English seaman, Sir John Hawkins, voyaging homeward from the West Indies (p. 41). He, too, had heard of the coming of the Frenchmen, and entered the St. John's River to see how his fellow-Protestants were getting on. Pitying their misfortunes, he sold them one of his four vessels at their own valuation, and took in payment their heavy guns, no longer of use to them, as they were determined to abandon the fort. Hawkins then sailed away, and the colonists were to follow in a short time. Before the day of their departure arrived, however, Ribault entered the river's mouth with reinforcements and supplies. This was on the 28th or 29th of August. For a moment all seemed bright at Fort Caroline; "but, how oftentimes," wrote Laudonnière, "misfortune doth search and pursue us, even when we think to be at rest." On the 4th of September, Menendez, with the leading portion of his fleet, sailed into the anchorage of Ribault's vessels at the mouth of the river. Uncertain as to the strength of the French, he passed out to sea again; soon Ribault followed him with nearly all the vessels and found the Spaniard landing his colonists and stores at St. Augustine on a lagoon not far south of the mouth of the St. John's. Ribault failed to seize this opportunity to attack him and sailed away to await a more favorable occasion. A hurricane drove his fleet to the southward and cast his vessels on the sandy shores of Florida. Menendez, on his part, used his advantages to the utmost. Marching overland, he surprised and captured Fort Caroline with most of its inmates, and returning to St. Augustine intercepted the bands of shipwrecked and starving French seamen as they were proceeding along the shore to their countrymen. In a short time nearly all the Frenchmen were dead or on their way to Spanish prisons.

Founding of St. Augustine, and destruction of the French fleet and colony, 1565. Winsor's *America*, II, 260–278; Parkman's *Pioneers*, 131–150.

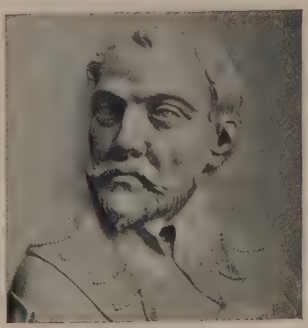
The English seamen.

30. The Elizabethan Seamen. — The discoveries of the Cabots appear to have aroused little interest in England at the time. English fishermen still frequented the fishing stations off Newfoundland; and in the years 1530–40

William Hawkins and other English mariners made several slave-trading voyages to the western world; but it is with the reign of Queen Elizabeth that modern English maritime enterprise really begins.

John Hawkins's voyages, 1562–67. Winsor's *America*, III, 60–64; *Hart's *Contemporaries*, I, No. 29; Higginson's *Explorers*.

The earliest of this new race of English seamen was John Hawkins of Devonshire, one of the extreme western counties of England, and noted for the hardihood and good fortune of its mariners. In 1562 he sailed with three vessels for the Guinea coast of Africa. There he procured three hundred negroes, most of whom he carried safely to Santo Domingo; the Spaniards were glad to secure slaves at reasonable rates, and Hawkins returned to England with valuable cargoes. The venture was so profitable that in 1564 he again set forth. On this second voyage he had four vessels: the *Jesus*, *Solomon*, *Tiger*, and *Swallow*. The first of these names seems to be a curious one for a slaver; but in those days men saw no evil in the slave traffic. Hawkins was a man of religious instincts, he directed his men "to serve God daily," and had religious services twice each day on his own ship. This second voyage also proved very profitable, and it was on his homeward way that he called at Fort Caroline and succored the French colonists. His third voyage (1567) was not so fortunate: the Spaniards attacked his fleet, — treacherously, as he maintained, — and he escaped with only two of his five vessels. Among his commanders was Francis Drake, also a mariner of Devonshire. The events of that unhappy day were always present to Drake and drove him on to take such vengeance as few men have ever had on their enemies; for a hundred years he was known to Spanish writers as "The Dragon."



John Hawkins

Drake in the Pacific, 1578. Winsor's *America*, III, 65–73; Hart's *Contemporaries*, I, No. 30.

31. Drake's Voyage around the World. — Drake made three plundering voyages to the West Indies in the years 1570–73. In 1577 he sailed from Plymouth with four vessels on a more adventurous cruise than any Englishman had hitherto undertaken. His destination was apparently Egypt; in reality he had conceived the daring project of sailing through the Strait of Magellan to attack the unprotected Spanish settlements on the western shores of America, and perhaps to capture a treasure ship on its way from Peru to Panama. Three of his vessels were either wrecked before he reached the Pacific or were carried home to England by their faint-hearted crews. In the fourth vessel, the *Pelican*, he entered the Pacific Ocean in October, 1578. Sailing into the harbors of Chile and Peru, he gathered an immense booty from the vessels at anchor in the several harbors, and from the terrified people on shore; from one vessel he took fifteen hundred bars of silver. He then sailed in pursuit of a treasure ship, the galleon *Cacafuego*, of whose recent departure some unwitting Spaniard had told him. He came up with her before long and secured twenty-six tons of silver and eighty pounds of gold, besides coined money and plate; he returned the captain of the galleon "a little linen" and a few necessaries and let him go. It was out of the question to return home by the route by which he had come; the Spaniards would carefully guard the Strait of Magellan. Drake therefore sailed northward along the western shores of North America, until the ropes of his vessel's rigging became stiff with ice in the month of June. From this high northerly latitude he turned back and cleaned and repaired his vessel at some port of California not far from the Golden Gate, which forms the entrance to the Bay of San Francisco. He then sailed for England by the way of the Cape of Good Hope. The *Pelican* was the first English vessel to enter the Pacific, and Drake was the first commander to carry his ship around the world.

32. Sir Humphrey Gilbert. — Drake's voyage was the most daring adventure of the time; but there were many

other fearless English mariners. Among other adventurous spirits were Sir Humphrey Gilbert and his kinsman, Walter Ralegh. Gilbert sailed three times for America, but ill fortune attended him. On his third voyage (1583), he landed on the shore of Newfoundland, but his attempt to reach the mainland was disastrous ; and on his return home the vessel in which he embarked went to the bottom with all on board. Our poet Longfellow has immortalized this incident:

Sir Humphrey Gilbert, 1583. Higginson's *Explorers*, 169–174.

> He sat upon the deck:
> The Book was in his hand.
> "Fear not," he cried, "Heaven is as near
> By water as by land."

33. The Ralegh Colonists, 1584–90. — Gilbert's patent was transferred to his half-brother, Sir Walter Ralegh, now high in Queen Elizabeth's favor. Ralegh himself never visited the shores of the United States, but these expeditions are rightly associated with his name, as he planned them and furnished a large part of the funds to fit them out. The first expedition (1584) was designed for exploration with a view to ascertaining the suitability of the American lands for settlement by Europeans. The leaders were Philip Amadas and Arthur Barlowe, who explored the sounds of North Carolina, where the Indians cordially welcomed them. They speedily returned to England and reported the new land to be "the most plentiful, sweet, fruitful, and wholesome of all the world." The natives they described as "void of all guile and treason, and such as live after the manner of the Golden Age." This wonderful region was named Virginia, and Ralegh was knighted for his trouble and expense.

Sir Walter Ralegh and his colonies. Winsor's *America*, III, ch. iv.

Amadas and Barlowe, 1584. Hart's *Contemporaries*, I, No. 32; Higginson's *Explorers*, 177–189.

In 1585 Ralegh fitted out seven ships under the command of Sir Richard Grenville, who fought the gallant fight in the *Revenge* "of the one and the fifty-three," splendidly turned into verse by Lord Tennyson from Ralegh's graphic description. He landed Ralph Lane and one hundred com-

The colony under Lane, 1585.

panions on Roanoke Island and then sailed for England. The explorers soon aroused the anger of the natives, who refused longer to supply them with food. Starvation stared them in the face, when Sir Francis Drake, voyaging homeward from one of his later expeditions to the West Indies, visited the settlement and carried them home with him; this was in the summer of 1586. Not many weeks afterwards, Grenville again reached Virginia with recruits and supplies. He found Roanoke Island abandoned and returned to England, leaving fifteen men, with two years' provisions, to hold the post for England's queen.

Drake succors the settlers, 1586.

Ralegh's means were insufficient for these continual demands; he summoned to his aid a body of merchants and men of influence, some of whom belonged to the later Virginia Company. They fitted out a large expedition to make a settlement on the shores of Chesapeake Bay, as Roanoke Island seemed to be an undesirable spot (1587). Disaster attended the colonists from the moment they reached America. For some unexplained reason they were landed on Roanoke Island instead of on the shores of Chesapeake Bay, and John White, the governor of the colony, returned to England in the vessel which had brought him over. The need must have been urgent, since White left in Virginia his daughter and his little granddaughter, Virginia Dare, the first child born of English parents in America. He again reached Roanoke Island in 1590 and found scarcely a sign of the colonists, — only the abandoned houses and a word cut in the bark of a tree. They were never seen again, and all attempts to account for their disappearance have been unsuccessful.

"The Lost Colony," 1587. Winsor's *America*, III, 113–116; Higginson's *Explorers*, 189–200.

Cause of the contest with Spain.

34. **The Spanish Armada, 1588.** — The Spanish government had good reason to be anxious. For years the mariners of England had attacked her colonies at a time when the two countries were at peace. Spain's existence as a sea power depended in great measure on the supply of treasure which she received from the mines of Peru and Mexico; English seamen were yearly becoming more and

more active in America, and in Europe they were constantly threatening her communications between the Spanish peninsula and her armies fighting with her rebellious subjects in the Netherlands. Many of the disputes between the two nations grew out of their religious differences, and the religious quarrel greatly embittered their contests, even when it did not cause them. Philip II determined to send a great fleet — the Spanish Armada — against England; it was to convoy a body of veteran soldiers under the Prince of Parma from the Netherlands, and these, with the soldiers brought in the ships from Spain, were expected to be sufficient to conquer England. The fate of the Spanish monarchy on the one side, and of English freedom on the other, hung in the balance. In the presence of such mighty issues, the few English colonists in Virginia could receive scant attention, — every man and every ship were required for the defense of the English nation and institutions.

Coming of the Armada.

The Spanish Armada should have left port in 1587, but Drake dashed into the harbors of Spain and burned the storeships, without which the Armada could not sail: "Singeing the king of Spain's beard," he jocosely called it. At length, in 1588, the "Invincible Armada" appeared off the coast of England. The Spanish vessels were somewhat larger than the English ships, but not so much larger as was formerly supposed to have been the case; the most important difference in the vessels themselves was in the much greater manageableness of the English ships, — they were shorter and less incumbered above water. Moreover, the English vessels were much the heavier armed. The greatest difference, however, was in the crews of the two fleets: the Spanish vessels were manned chiefly by soldiers, and their officers, with few exceptions, had had little service at sea; the English ships, on the contrary, were manned largely by volunteers from the seafaring people of the coast towns; they were led by men who had been fighting and beating Spaniards for the last twenty years. The world has never seen better sea fighters than Hawkins and Drake,

Destruction of the Armada, 1588. *Old South Leaflets*, VI, No. 6.

Frobisher and Grenville. Not only were the heavier guns of the English better handled than were the lighter guns of the Spaniards; the superior speed of the English vessels gave their commanders the power to take such distances as suited their own armament. The very winds blew in England's favor, and storms continued the work of destruction so hardily begun by Drake and his "Men of Devon." Some of the Spanish vessels which escaped the English guns were wrecked on the coast of Ireland, where their crews fell an easy prey to the Irishmen. Of the one hundred and twenty Spanish ships which entered the English Channel, only fifty-four returned to Spain. The sea power of England was established, and Englishmen might found colonies in the unoccupied parts of America in comparative security. The breaking of Spain's naval power is, therefore, an incident of the first importance in the history of the English colonies. The period of discovery and exploration closes with this great achievement, and the period of English and French colonization begins.

Establishment of England's sea power. Importance of this in American history.

SUGGESTIVE QUESTIONS AND TOPICS

§ 10. The Northmen

a. Discuss the credibility of the sagas.

b. Compare the voyages of the Northmen with the early explorations of the Phœnicians.

§§ 12, 14. Early Geographical Ideas

a. What proofs that the earth was round were discovered by the ancients?

b. What further facts can you ascertain about Toscanelli and Behaim?

§§ 13, 14. Columbus

a. In what did Columbus's greatness consist?

b. Represent upon an Outline Map the tracks of Columbus's ships and the lands which he visited, putting dates upon each.

§ 16. The Cabot Voyages

a. What event opened the way for England's colonial empire, and what events rendered its firm foundation possible?

b. Does the text of this history confirm or disprove the proposition: "History is a collection of problems, not a statement of facts"? Prove by quotations.

§ 17. The Naming of America

a. Is the name of a continent a matter of real importance? Give your reasons.

b. Represent in colors upon an Outline Map the tracks of all Italian seamen mentioned in this chapter, and the lands they discovered, putting upon every track and every region the name and date.

§§ 18, 19. Circumnavigation of the Globe

a. When did the Pacific Ocean first become important in the commerce of the world? Why?

b. What long voyages preceded the circumnavigation of the globe? What discovery was made by each voyager?

c. Represent in colors all these voyages upon an Outline Map with names and dates.

d. Explain fully (by recitation) the map that you have made.

§§ 20, 21. Florida and Mexico

a. Keep in note-book a list of the different possessors of Florida from 1513 to present time, giving to each date and manner of acquisition.

b. What is meant by "strategic importance"? Has the peninsula of Florida strategic importance?

§§ 22, 23. The Atlantic Coast

a. What effect did Verrazano's voyage have on the Spanish claim to Atlantic coast regions?

b. By whom, and when, were about the same things done, and with what results?

§§ 24–26. The Southwest

a. How much of these sections is a connected story? Trace it upon an Outline Map and tell it.

b. What importance had each event mentioned in these sections in establishing the Spanish claim to North America?

§§ 23, 27–29. The French in North America

a. What American possession has France now?

b. Bring to class a brief topical analysis of French history, 1492–1550. Who were the Huguenots?

§§ 16, 30–34. The English in North America

(See questions on § 16.)

a. Bring to class a brief analysis of English history from 1497 to 1558.

b. If Magellan's ship circumnavigated the globe in 1520, why is so much said of Drake's voyage around the world?

c. Has the story of the Ralegh colonies any real importance in American history? Give reasons for your answer.

d. What issues did the defeat of the Spanish Armada settle?

Historical Geography

a. Represent in colors upon three Outline Maps "Territorial History of the Spanish, the French, the English, in North America," coloring all territory discovered, explored, or settled by each nation before 1600. Place names and dates in proper places. Whenever, in the course of the narrative, territorial possessions changed hands, note such change on these maps and add new maps as often as clearness demands.

b. Make a sketch map of your own state, marking on it changes in possession or settlement as you come to them in your study. Place names and dates in proper places.

General Questions on Chapter as a Whole

a. The work of what men, or group of men, mentioned in this chapter has had largest and most lasting effect upon history? Give your reasons.

b. Select all disputed points mentioned in this chapter; in each case give the evidence for and against, and draw conclusion.

c. Make digest of whole chapter, centralizing the topics as much as possible under inclusive heads, and inserting all dates.

d. In recitation hour write this digest rapidly.

e. Let written recitations be demanded upon any of the points touched in the Questions.

Topics for Investigation by Individual Students

The reports to be in the student's own words, and to be detailed accounts written from the sources. In these lists numbers in parentheses refer to pages of this history containing references to original sources.

a. The voyage of Leif Ericson (20, last one of first group).
b. Columbus's first voyage (24, last one).
c. The first Cabot voyage (27, last two groups).
d. The Verrazano voyage (34, § 23, last group).
e. Coronado's explorations (36, first group, last two).
f. Cartier's first voyage (37, last two).
g. Amadas and Barlowe's explorations (43, third group).

CHAPTER II

COLONIZATION, 1600–1660

Books for Consultation

General Readings. — Higginson's *Larger History*, 140–168, 192–202; Thwaites's *Colonies*, 35, 45–77, 81–87, 113–164, 196–202, 207–210, 246–252; Fisher's *Colonial Era*, 30–50, 62–72, 82–148, 177–190; Fiske's *Civil Government*, 140–151; Lodge's *English Colonies*, passim.

Special Accounts. — Gay's *Bryant's Popular History;* Winsor's *America;* Dexter's *Story of the Pilgrims;* *Arber's *Story of the Pilgrim Fathers;* Fiske's *Beginnings of New England;* *Palfrey's *New England;* Channing's *United States*, I, chs. vi–xix; Roberts's *New York* (A. C.[1]); Browne's *Maryland* (A. C.); Cooke's *Virginia* (A. C.); *Campbell's *Virginia;* Larned's *History for Ready Reference*, under names of states. On conditions in England: Gardiner's *Students' History;* Higginson and Channing, *English History for Americans.* See also *Freeman's *English People in its Three Homes;* *Borgeaud's *Rise of Modern Democracy;* *Bryce's *American Commonwealth* (abridged edition). On French colonization: Parkman's *Pioneers* (Ed. 1887) and *La Salle;* Bourinot's *Story of Canada.*

Sources. — **Records of Massachusetts Bay Company;* *Winthrop's *New England;* Bradford's *Plymouth Plantation;* *Hening's *Statutes of Virginia;* **Archives of Maryland;* *American History Leaflets; Old South Leaflets;* Higginson's *American Explorers;* Stedman and Hutchinson's *Library of American Literature;* *Hart's *Contemporaries*, I.

Maps. — MacCoun's *Historical Geography;* Winsor's *America*, and *Mississippi Basin.*

Bibliography. — Channing and Hart, *Guide to American History*, §§ 56 a, 56 b (General Readings); §§ 96–102, 104–128 (Topics and References); § 23 (State and Local Histories); § 29 (Colonial Records).

[1] "American Commonwealths" series, and so throughout these lists of references.

Illustrative Material. — Mrs. Austin's *Standish of Standish* and other stories; Hawthorne's *Grandfather's Chair;* Mrs. Child's *Hobomok;* Mrs. Cheney's *Peep at the Pilgrims;* Motley's *Merry Mount;* M. E. Wilkins's *Adventures of Ann;* Dix's *Soldier Rigdale;* Longfellow's *Miles Standish;* Whittier's *Cassandra Southwick* and other poems; Bynner's *Penelope's Suitors;* Drake's *New England Legends;* * Lowell's *Among My Books* ("New England Two Centuries Ago"); Irving's *Knickerbocker History;* Paulding's *Dutchman's Fireside* and other stories; Stedman's *Peter Stuyvesant's New Year's Call;* Kennedy's *Rob of the Bowl;* Cooke's *Stories of the Old Dominion;* Eggleston's *Pocahontas and Powhatan;* Caruthers's *Cavaliers of Virginia.*

COLONIZATION, 1600–1660

Grant to De Monts, 1603. *American History Leaflets*, No. 16.

35. The French in Acadia and Canada. — The French were the first to take advantage of the growing weakness of the Spanish monarchy, for Ralegh was no longer in a position to carry out his far-reaching plans. The sudden activity of France, however, was more especially due to the desire of her great ruler, Henry IV, to establish a French colonial empire. In 1603 he granted a commission to Sieur de Monts, appointing him Lieutenant General of Acadia, with authority to colonize lands "extending from the fortieth to the forty-sixth degree," or from Philadelphia to Halifax. In 1604 De Monts led a band of colonists to the Bay of Fundy and settled on an island in the mouth of the St. Croix River. The site was not a good one, and the colony was moved to the eastern side of the bay.

The French in Acadia. Parkman's *Pioneers*, 245–257.

Champlain's explorations, 1604–14. Parkman's *Pioneers*, 245; *Winsor's *Cartier;* Higginson's *Explorers*, 269–278.

A remarkable figure among these colonists was Champlain, a great explorer, a good draughtsman, a graceful writer, and an excellent observer. Instead of remaining quietly on the shores of the Bay of Fundy, he voyaged along the coast as far west and south as Plymouth harbor; he called it Port St. Louis, and made a map of it which is of value at the present time. A few years later, he founded the town of Quebec (1608), and discovered Lake Champlain (1609) and Lake Huron (1615). The French settlements were seized by the English between 1609 and 1629, but they were restored to France by the Treaty of St. Germain in 1632.

The French colonies grew very slowly; at the end of the century (1699) there were not one thousand French settlers living south of the St. Lawrence River.

Treaty of St. Germain, 1632. *American History Leaflets*, No. 16, p. 10.

36. Revival of English Enterprise. — The last part of the sixteenth century was a time of great social unrest in England. Large numbers of persons were obliged to seek their livelihoods in new and untried directions. All eyes were turned to foreign lands, where the daring voyages of Drake and his companions had revealed to Englishmen the achievements of the Portuguese, the Spaniards, and the Dutch. Three voyages made to the New England coast attracted attention to that part of the continent and led to a great scheme of colonization. The first of these voyages was that of Bartholomew Gosnold. Leaving England in March, 1602, he reached the New England coast, built a trading house on one of the Elizabeth Islands, filled his vessel's hold with a valuable cargo, and returned safely to England before the end of the following July. His goods were at once seized by Ralegh. In 1603 Martin Pring visited Plymouth harbor, which he named Whitson Bay; he too returned with a valuable cargo. The voyage which attracted most attention, however, was that of George Weymouth to the coast of Maine in 1605. He returned home with the most encouraging accounts of a climate well suited to nutmegs and tropical plants, — he was there in the summer, — and he also reported that the signs of gold were abundant.

Gosnold's voyage, 1602. Winsor's *America*, III, 172; Higginson's *Explorers*, 203–213.

Weymouth's voyage, 1605. Winsor's *America*, III, 174; Higginson's *Explorers*, 213–221.

37. The Virginia Company, 1606. — Meantime Ralegh had fallen under the displeasure of the new king, James I. His property was seized and Virginia was taken from him. In 1606 James granted the first Virginia charter. In this

Limits of Virginia, 1606. Hinsdale's *Old Northwest*, 72; *American History Leaflets*, No. 16, p. 3.

document Virginia was defined as extending from the thirty-fourth to the forty-fifth degree of north latitude; or from the Cape Fear River to the Bay of Fundy. The members of the corporation formed under this charter resided in or near London, and also in the southwestern part of England in the vicinity of Plymouth in Devonshire. The company was divided into two subcompanies corresponding to this geographical division among its members: to the Londoners the king gave the sole right to colonize the territory between thirty-four and thirty-eight degrees of north latitude, or between the Cape Fear and Potomac rivers; to the Plymouth men he gave a similar right to plant colonies between forty-one and forty-five degrees of north latitude or between the Hudson River and the Bay of Fundy. The intervening region, stretching from the thirty-eighth to the forty-first degree of north latitude, was left open to whichever of the two companies should first colonize it; but it was provided that neither company could plant a colony within one hundred miles of a settlement already made by the other. This singular arrangement was devised, to use the words of the charter, "for the more speedy accomplishment of their said intended plantation;" but the provision led to nothing of the kind.

Virginia, 1606

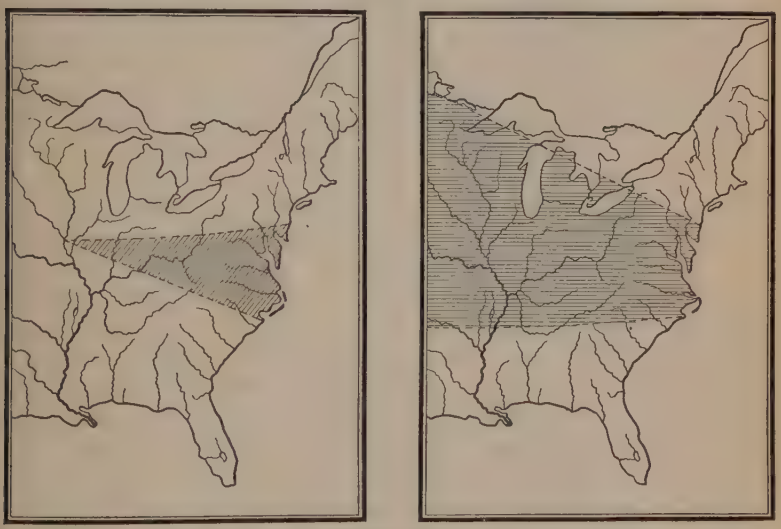
First settlement in Maine, 1607. Winsor's *America*, III, 175; Higginson's *Explorers*, 222–225.

38. The Popham Colony, 1607. — Sir John Popham, Chief Justice of England, Sir Ferdinando Gorges, and the Gilberts were the leading members of the Plymouth Company, or subcompany, to be more accurate. On May 31, 1607, a fleet under George Popham, brother of the Chief Justice, and Ralegh Gilbert sailed for the coast of what is now the state of Maine. They landed at the mouth of the Kenne-

bec, built a fort, and explored the country. They found no gold; the natives proved unfriendly; and the winter was severe beyond anything they had ever conceived. They seized the first opportunity to abandon the enterprise and returned home in the following spring (1608).

39. The Jamestown Colony, 1607. — The London Company had promptly made preparations to colonize the southern portion of Virginia. Its treasurer or chief executive officer was an energetic business man, Sir Thomas

The London Company.



(*a*) Virginia, 1609 (*b*)

Smith; among its leading members were Sir Thomas Gates and Lord de la Warr. The first colonists left the Thames in midwinter, 1606–7; in the following spring they reached the capes of the Chesapeake, which they named for the two sons of King James, — Cape Henry and Cape Charles. They began their settlement on the southernmost of the rivers which flow into the bay, calling it the James River, while to their village they gave the name of Jamestown. Their trials and adventures, and the heroism displayed by

Founding of Virginia, 1607. Winsor's *America*, III, 127–137; *Hart's *Contemporaries*, I, Nos. 62, 63; Higginson's *Explorers*, 231–265.

the members of this little band, can be best understood by a perusal of the quaint account of the most capable man amongst them, Captain John Smith. His *True Relation*, which was printed in 1608, may be read with confidence, if one bears in mind the conceit of its author. The site of the settlement proved to be a poor one; of the one hundred and five original settlers, fifty were dead within six months. The company expected immediate profit; this led to ceaseless explorations for gold, to the neglect of agriculture. Furthermore, the colony was on a military basis, — each man's labor was for the common benefit, and each man was fed out of a common store. There was no spur to laborious exertion, and discipline, which alone could take the place of self-interest, was almost entirely lacking. Starvation and disease more than once threatened to break up the settlement.

Smith's *True Relation* in *American History Leaflets*, No. 27.

New charter, 1609.

40. The Virginia Charters of 1609 and 1612. — In 1609 the king granted a new charter to the London group of the original Virginia Company; the new corporation was given more authority over its colonists, and the limits of its territory were defined, though vaguely. These were now to be two hundred miles from Point Comfort (the Old Point Comfort of the present day) in either direction along the coast, "and all that space and circuit of land, lying from the seacoast of the precinct aforesaid, up into the land throughout from sea to sea, west and northwest." The interpretation of this latter provision gave much trouble in later days: which line should be run westward and which northwestward? If the northern line were run westward and the southern line northwestward, Virginia would be triangular in shape (*a*). As the northern limit and the western direction were first mentioned in the respective clauses of the charter, it might easily be argued that this was the intention of the king; but on the other side it could be urged that in case the lines were drawn in this way Virginia would not extend from "sea to sea," as the charter expressly provided. To accomplish that object, the

Limits under this charter. Hinsdale's *Old Northwest*, 73–78; *American History Leaflets*, No. 16, p. 5.

southern line must be drawn westward and the northern line northwestward (*b*).

In 1612 the king granted the Virginia Company still another charter extending the limits of Virginia eastward to include the Bermudas, or Somers Isles, as they were then called. The company also received nearly complete governing powers and was authorized to hold general meetings of all the freemen or shareholders of the company, — the General Courts, as they were termed. These courts were held at London. Charter of 1612.

41. **Dale's Administration.** — In 1611 Sir Thomas Dale came to Virginia as ruler of the colony. He was a strict disciplinarian and at once introduced vigor and order into the affairs of the plantation. It is reported that as he sailed into the James River he saw two men reclining by the river's bank and promptly set them to work. To arouse the needful self-interest, he granted to each of the old planters three acres of land for his own, and in this way began the destruction of the system which had so far hampered the colony's prosperity. Dale's rule in Virginia is chiefly remembered, however, in connection with a severe system of laws which were established in his time. This code was entitled "Articles, Lawes, and Orders, Divine, Politique, and Martiall for the Colony in Virginea," and was said to be based on the military systems of the Netherlands. Many of its clauses, however, have a character one usually associates with the so-called "blue-laws" of the New England colonies. For instance, Article vi provides that "every man and woman duly twice a day upon the first towling of the Bell shall upon working daies repaire unto the church, to hear divine Service upon pain of losing his or her dayes allowance for the first omission, for the second to be whipped, and for the third to be condemned to the Gallies for six moneths." The thirty-third article further prescribes that all persons shall satisfy the minister of their religious soundness or place themselves under his instruction; for neglecting this duty a third time the offender should "be whipt every day until

Dale's administration. Winsor's *America*, III, 137–141.

"Dale's Laws," 1611. Gay's *Popular History*, I, 300.

Religious observances.

he hath made the same acknowledgement, and asked forgiveness, and shall repaire unto the Minister to be further instructed by him." Article iii provided that no man should "speak against God's name." or "the known articles of the Christian faith," — namely, those of the Church of England, — under pain of death. A second conviction of "cursing" was punished by having a bodkin thrust through the tongue, and for the third offence the culprit suffered death. Other articles provided penalties for neglect of work (three years in the galleys), and no person could sell anything to be transported out of the colony under pain of death.

Tobacco culture.

That Virginia enjoys the distinction of being the first permanent English colony to be founded in America is due mainly to the rapidity with which mankind adopted the practice of using tobacco in one form or another. The Czar of Russia decreed that smokers should have their noses cut off, but this and other prohibitions were in vain, and the tobacco habit spread throughout Christendom faster than any religion or language has ever spread. From the moment that the production of tobacco became profitable, the future of Virginia was assured.

Hart's *Contemporaries*, I, No. 83.

The Puritans and the colonists.

42. Introduction of Representative Institutions. — Between 1614 and 1618 the Virginia Company fell into the hands of the Puritans, and its character was radically changed. In 1618 Sir Edwin Sandys, one of the leaders of that party in the House of Commons, displaced Sir Thomas Smith as treasurer of the company. The Puritans believed in the civil equality of man; it mattered not to them whether one were a dweller in the home land or in the colonies. They sent over Sir George Yeardley as governor in 1619. His instructions directed him to summon two burgesses to be freely elected by the inhabitants of each plantation or other convenient local unit. These representatives of the people, with the Governor and Council, were to form a General Assembly. Yeardley at once carried out his instructions, and the first representative legislative body in the history of America met in the church at James-

Virginia Assembly, 1619. Hart's *Contemporaries*, I, No. 65.

town in 1619. Dale's Laws were at once repealed and a much milder code substituted. Every one was still required to attend divine service according to the Church of England twice each Sunday, but the penalty for staying away was reduced to three shillings for each offense. Many of the new laws restrained personal liberty; while others limited the production of tobacco and encouraged the cultivation of food stuffs.

Indentured servants.

43. Introduction of Forced Labor. — With increasing prosperity came a better class of colonists: many men of substance and ability emigrated to Virginia; they acquired great tracts of land and cultivated tobacco on a large scale. In this way was created a demand for cheap, unskilled labor. Shiploads of convicts, of runaways, and of persons who had been kidnapped were sent to Virginia to be bound out as servants or apprentices for a term of years, or perhaps for their lives, as the case might be. These were the indentured servants, or "indented servants," as they were usually termed in the colony. Many poor but respectable persons gladly adopted this means to secure a new start in the world. The same year (1619) that saw the establishment of representative institutions witnessed also the introduction of negro slavery. The first negroes were brought to Jamestown in a Dutch vessel and may be regarded as a chance importation, not one made in any way to answer a demand already in existence. Employers appear to have preferred the forced labor of whites to that of blacks; slavery in consequence increased very slowly, and it was not until the middle of the century that there were many slaves in the colony.

Negro slavery introduced, 1619.

The end of the Virginia Company, 1624.

44. Overthrow of the Virginia Company, 1624. — The Puritans, who were now in control of the Virginia Company, were not at all to the taste of King James; they did not always heed his requests, and the General Courts of the corporation afforded them a convenient opportunity to meet and plan to oppose the king's measures. It was determined to overthrow the company. James had now reached that

part of his reign when he found himself obliged to proceed with great caution, as war with Spain had again broken out. With his habitual cunning, he appointed a commission to collect evidence and to excite animosity against the company in Virginia. This plan, however, was not successful; but an Indian massacre (1622) gave the government the opportunity to charge the company with failure to protect its colonists. The charter was annulled in 1624.

The Assembly of 1629.

45. Virginia under the Royal Governors, 1624–52. — The fall of the Virginia Company brought slight change to Virginia: the royal governors enjoyed about the same powers that Yeardley had exercised; but it is not certain that assemblies were held in the years immediately following the downfall of the company. Meantime James had died, and the new king, Charles I, was greatly in need of funds to maintain the government of England without holding a Parliament (p. 70). He, or his ministers, conceived the idea that a handsome profit might be made from a monopoly of the tobacco trade. The co-operation of the Virginians was necessary to the successful working of the plan, and a General Assembly was held in Virginia (1629) to secure their consent to the scheme. The colonists refused to become parties to the arrangement, but the holding of the assembly was important, as it proved to be the precedent for the summoning of legislative bodies thereafter in all the royal provinces.

Opposition to Governor Harvey.

The first of the royal governors to attract attention was John Harvey, who won the planters' hatred by his arbitrary conduct. Besides, the Virginians disliked his kind treatment of Lord Baltimore's colonists when they came to settle Maryland, for that province had been carved out of territory granted to the Virginia Company. Harvey, as representative of the king in America, was obliged to do what he could to forward his master's wishes, but this only increased the hatred with which the Virginians regarded their ruler. Some of the bolder among them arrested him, sent him to England to answer their complaints, and a few of them even

went to England to lay their case before the king. Harvey was soon sent back, but, on the other hand, little was done to punish the Virginians for their contempt of the king's representative.

Sir William Berkeley.

In 1642 Sir William Berkeley arrived in Virginia as governor. His rule was the longest in colonial history, lasting from 1642 to 1652, and again from 1659 to 1676. During the first of these periods the Puritans appeared in Virginia and made many converts to their peculiar beliefs. Berkeley and the leading men were alarmed at their success and made sharp laws against them. In the end most of them crossed the Potomac to Maryland.

Execution of Charles I.

46. Virginia during the Puritan Supremacy. — While Berkeley had been governing faithfully for king and church in Virginia, both king and church had succumbed to the Puritans (p. 70) in England. The execution of Charles I aroused no answering echo in the Old Dominion. On the contrary, Berkeley sought to convert the colony into an asylum for the party which had suffered defeat in England; but the second Charles and his followers generally preferred the luxury of European exile to the wilderness of America.

The Puritans and Virginia.

The Puritans, now supreme in England, offered most generous terms to the colonists of Virginia, Maryland, and New England, — nothing less than free trade between the colonies and the mother country, on condition that the colonists would confine their commerce to England. As the case then stood, the proposition was for free trade within the British Empire, much as there is now free trade within the United States. The Virginians would have none of it. For a few years the affairs of Ireland and Scotland occupied the energies of the Puritan rulers of England. In 1652 they turned their attention for a moment to the rebellious colony; a small fleet sailed across the Atlantic, and the Virginians surrendered without striking a blow. The terms offered by the conquerors were singularly liberal: the colonists were required to recognize the authority of the Commonwealth; in other respects they were left to govern

Hart's *Contemporaries*, I, No. 69.

themselves. For six years the Virginians elected their own governors, enjoyed the most complete independence they ever had before 1776, and were very prosperous. In 1659, on the fall of the Protectorate in England, they chose Berkeley as governor, and he was in office in 1660.

Hammond's "Leah and Rachel," in Stedman and Hutchinson, I, 343.

47. The Calverts and Maryland. — Maryland owed its rise to the action of two remarkable men, — George and Cecilius Calvert, father and son. They desired to build up for the benefit of their family a great landed estate in America and also hoped that their fellow Catholics would find an asylum in the colony. The Calverts were men of broad and statesmanlike views, and deserve the greatest credit for the liberal spirit which they displayed in the management of their colonies.

Reasons for founding Maryland. Winsor's *America*, III, 517–529; Browne's *Calverts*, ch. ii; Hart's *Contemporaries*, I, No. 72.

George Calvert, the father, was a prominent man in England during the last years of the reign of James and in the early years of the rule of Charles. He became one of the principal secretaries of state. At some time before 1625 — the precise date is not certain — he became a Roman Catholic; in 1625 he withdrew from office. Calvert now actively embarked in schemes of colonization. His first venture, a settlement in Newfoundland, ended in failure. He then determined to transfer the scene of his colonial enterprise to the warmer climate of Virginia, and obtained from the king a grant of the unoccupied land north of the Potomac. George Calvert died before the charter was actually issued and it was given to his son, Cecilius, who was scarcely inferior to his father

Charters of New England and Maryland

in judgment, although without the latter's experience in the management of affairs.

48. **Boundaries of Maryland.** — The limits of the new province were set forth with great inexactness in the charter. The intention of the king undoubtedly was to give to Baltimore all the unsettled land in Virginia north of the Potomac and south of the fortieth parallel, — the southern boundary of New England according to the charter of 1620 (p. 63). Owing, however, to the imperfection of geographical knowledge of those days, this intention was only partially carried out.

The Maryland grant. Hinsdale's *Old Northwest*, 78; *American History Leaflets*, No. 16, p. 12.

Among the more important provisions of the Maryland charter is one which assigned to Baltimore's colony a western boundary, — the meridian of the source of the Potomac. During the seventeenth century this restriction did not matter much, but toward the close of the eighteenth century, when emigration to western lands began to attract attention, Maryland found itself placed at a great disadvantage as compared with Virginia and Pennsylvania (§ 172.)

Western limit.

The southern boundary of the new colony was the southern bank of the Potomac from its source to a certain place named "Cinquack," thence across Chesapeake Bay by the "shortest line" to "Watkins' Point," and thence "unto the main ocean." This is one of the few instances in history where the bank of a river forms an important boundary; usually such a line follows the channel. In this case it gave rise to disputes between Virginia and Maryland, which, one hundred and fifty-five years later, led to the summoning of the Federal Convention (§ 179). The northern limit of Maryland was the fortieth parallel, but the disputes which arose over it will be better understood when we come to a study of the limits of Pennsylvania (§ 88).

Southern limit.

49. **Government of Maryland.** — Maryland was made a province under the crown, and the Barons of Baltimore, as proprietaries, were given extensive powers of government. One important limitation of their power should be noted: they could legislate and tax only with the consent of the

Authority of the proprietary.

freemen, by which word all free adult male whites seem to have been intended. This made it necessary to hold assemblies from the beginning. Disputes between the proprietary and the freemen at once began. Baltimore, relying on the words of the charter, claimed the right to initiate or begin legislation; he refused his assent to a code of laws enacted by the freemen, and they, in turn, refused their consent to a code which he drew up. In the end, Baltimore was compelled to yield, and thus at the outset lost much of the power which he had expected to exercise. Furthermore, the laws of Maryland were not submitted to the English government; but any law was of no force if it was contrary to the laws and customs of England.

Dispute as to the initiative. Winsor's *America*, III, 529; Browne's *Calverts*, ch. v.

50. Toleration Act, 1649. — The leading colonists of Maryland were for the most part Roman Catholics, but many of the settlers, including some important men, were Protestants. Puritans from Virginia entered the colony, and their friends were fast gaining the upper hand in England. In 1649 the Maryland assembly passed the Toleration Act, to the effect that no one should be molested for his religious beliefs, provided he were a Christian. This is one of the most memorable acts of the colonial period, and is the first of its kind in the history of modern times; but it should always be most carefully borne in mind that absolute religious freedom existed at this time in Rhode Island, owing to the liberal spirit of the Puritan leader of that colony, — Roger Williams. Both Catholic and Protestant writers have endeavored to secure for their respective sides the credit for the passage of this law; but now it is generally thought that the law was in the nature of a compromise. Soon afterwards, in the time of the Protectorate, Maryland fell into the hands of the Puritans, who oppressed the Catholics. In 1657, however, these disputes were arranged and the Toleration Act was restored. There were also many controversies with Virginians, especially with a man named Claiborne, and the contests with them and with the Puritans always occupy a large space in Maryland histories.

Toleration Act. Browne's *Calverts*, chs. vi, viii; Winsor's *America*, III, 533–536; *Hart's *Contemporaries*, I, No. 84.

Winsor's *America*, III, ch. xiii; Hammond's "Leah and Rachel," in Stedman and Hutchinson, I, 347.

51. The Council for New England, 1620. — For many years after the unhappy attempt to found a colony at the mouth of the Kennebec (§ 38), no English colonists approached the shores of northern Virginia. The success of the Virginians again awakened the interest of the survivors of the Plymouth Company under the first Virginia charter. They, with some new associates, applied for a charter and obtained (1620) a grant of all America between forty and forty-eight degrees of north latitude under the name of New England (map p. 60). The grantees, under this new patent, never did much in the way of colonization; they acted rather as a great land company. The settlement of New England was due to men of a different stamp, whose departure from their native land was owing mainly to the religious contest then raging in England, although many of them were impelled by self-interest as well.

Council for New England, 1620. Winsor's *America*, III. 295; *American History Leaflets*, No. 16, p. 7.

52. The English Puritans. — The English Reformation resulted in the separation of the church in England from the existing Catholic church. This was as far as the English monarchs and the mass of the English people wished to go, but there were many earnest persons who desired to proceed much farther and to purge the English church of what they deemed to be abuses. These reformers were called Puritans, and were themselves divided into two groups, which shaded one into the other. The more conservative of them were the Nonconformists, who desired to reform the Church of England while remaining members of it. The more radical ones were willing to separate from the church, provided they could worship God in their own way; these were known as the Separatists.

The Puritans. Fiske's *New England*, 50–66; Gardiner's *Puritan Revolution*; J. R. Green's *Short History*.

53. The Pilgrims. — Among the Separatist congregations was one which met in the dwelling of William Brewster in the little hamlet of Scrooby in Nottinghamshire. With the coming of James the Puritans were persecuted because he was determined to make them conform or to "harry them out of the land." They resolved to seek an asylum in a foreign country, where they might enjoy freedom to worship

The Pilgrims. Winsor's *America*, III. 257–266; Dexter's *Pilgrims*, pp. 61, 117; Fiske's *New England*, 71–75.

Dock at Plymouth, England, from which the *Mayflower* took her Final Departure

God according to the dictates of their consciences. After encountering great hardships, they settled at Amsterdam in Holland (1608); later, they removed to Leyden. There they remained several years, leading such laborious lives that many of their friends "preferred the prisons of England to such liberty as this was." At length they determined to make another pilgrimage. The reasons which led them to form this resolve should be read in the words of William Bradford, the heroic chronicler of their glorious enterprise. In brief, they desired to better their worldly condition and to provide for the well-being of their posterity as they could not do at Leyden. They also feared lest their children should lose their English speech and habits. The venture seemed to be full of perils, but they felt that it was worth trying, and they reflected that all important undertakings "must be both enterprized and overcome with answerable courages." The Virginia Company was now controlled by the English Puritans, who were easily persuaded to grant the Pilgrims permission to settle within the limits of Virginia. The emigrants also endeavored to secure from James a guarantee that they should not be molested on account of their religion. This was refused, as it was suspected that their design was "to make a free popular state there"; the king seems to have hinted, however, that "he would connive at them and not molest them, provided they carried themselves peaceably."

American History Leaflets, No. 29, p. 7.

54. **The Pilgrim Compact, 1620.** — The events of the Pilgrims' voyage across the Atlantic and the hardships of the first years of their life at Plymouth are so well known that it is unnecessary to describe them. After enduring privations unknown to emigrants of our time, the Pilgrims anchored off Cape Cod (November, 1620), far to the north of their destination, and found themselves obliged to settle in that region. Being outside of the limits of the Virginia Company, they were compelled to make new provision for the government of their colony, and drew up a compact which is here reproduced from Bradford's manuscript. The

Voyage across the Atlantic. Dexter's *Pilgrims*, ch. xiv.

Bradford's *Plymouth Plantation*; *American History Leaflets*, No. 29.

In ỹ name of god Amen. We whose names are vnderwriten the loyall subiects of our dread Soueraigne Lord King Iames by ỹ grace of god, of great Britaine, franc, & Ireland king defendor of ỹ faith, &c

Haueing vndertaken, for ỹ glorie of god, and aduancemente of ỹ christian faith and honour of our king & countrie, a voyage to plant ỹ first Colonie in ỹ Northerne parts of Virginia. Doe by these presents solemnly & mutualy in ỹ presence of god, and one of another, Couenant, & combine our selues togeather into a Ciuill body politick; for our better ordering, & preseruation & furtherance of ỹ ends aforesaid; and by Vertue hearof to enacte, constitute, and frame Such just & equall Lawes, ordinances, Acts, constitutions, & offices, from time to time, as Shall be thought most meete & conuenient for ỹ generall good of ỹ Colonie: Vnto which we promise all due submission and obedience. In witnes wherof we haue hereunder Subscribed our names at Cap= Codd ỹ .11. of Nouember, in ỹ year of ỹ raigne of our Soueraigne Lord king Iames of England, franc, & Ireland ỹ eighteenth and of Scotland ỹ fifti-fourth. An: Dom. 1620.

The Pilgrim Compact. Facsimile of Bradford's Manuscript
(Reprinted in *American History Leaflets*, No. 29, p. 26)

document was signed by nearly all the men of the Pilgrim band, who thus agreed to be bound by what was determined for the public good.

The Pilgrim Compact, 1620. Dexter's *Pilgrims*, ch. xv.

55. Settlement at Plymouth, 1620. — After careful exploration, while the *Mayflower* remained in what is now Provincetown harbor, the Pilgrims resolved, December 21, to settle on the shores of a haven which had been visited by Pring and Champlain. In 1614 Captain John Smith had also sailed along the New England coasts and had printed a map on which English names were assigned to many important points; among others, he called the Port St. Louis of Champlain, Plymouth. On December 16, old style, or December 26 according to our mode of reckoning time, the *Mayflower* anchored in Plymouth harbor, and nine days later the work of building houses for the colonists was begun.

Plymouth settled, 1620. Winsor's *America*, III, 267–276; Fiske's *New England*, 82–87; Higginson's *Explorers*, 311–337.

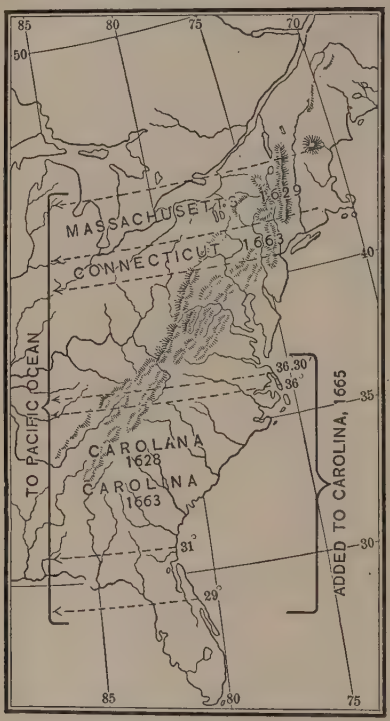
The Pilgrims were attracted to this spot because the land was already cleared of the trees and there seemed to be no Indians in the neighborhood. It turned out that the natives who had formerly lived on the shores of Plymouth harbor had died of disease a few years before. Only one of the tribe was living; he soon appeared at Plymouth, was carefully and generously supported by the Pilgrims, and in return taught them how to win a scanty subsistence from the barren soil and icy waters around them. The Pilgrims also entered into a treaty with Massasoit, the most powerful chieftain of southeastern New England, and this agreement both parties faithfully observed for more than half a century. Other Englishmen in the neighborhood were not so wise in their dealings with the natives, and the Pilgrims found themselves obliged to interfere in order to prevent a general massacre. This work was splendidly done by Miles Standish, a man of cool and courageous bearing.

The Pilgrims and the Indians. Dexter's *Pilgrims*, ch. xviii; Fiske's *New England*, 199–205.

56. The Pilgrims and Communism. — The terrible mortality of the first winter and the hardships of the succeeding years were due in part to the poverty of the Pilgrims, to their having begun their settlement in midwinter, and to

Slow growth of the Pilgrim colony. Dexter's *Pilgrims*, 237–246.

the barrenness of the soil. It was owing in large measure, also, to the system of common labor, which has never had a fairer trial than it had at the hands of the Pilgrims at Plymouth. At length, to avoid starvation, one acre of land was given to each head of a family, to be cultivated for his own use and held by him until the end of the seven years, when a general division should be made. Later on (1626), the principal men joined together and bought out the English partners for eighteen hundred pounds sterling, to be paid in nine installments; they found the means to pay this great sum by prosecuting a profitable fur trade with the natives on the Kennebec River and elsewhere.



Charters of Massachusetts, Connecticut, Carolana, and Carolina

57. Form of Government. — In the beginning the government of Plymouth was a pure democracy, as far as the signers of the compact were concerned. For many years Bradford was annually chosen governor; but when business increased with the growth of the colony, other men were elected to assist him in the discharge of his duties. Important matters were transacted at meetings of all the signers of the com-

Government under the compact.

pact and such others as they admitted to a share in the government.

Representative institutions.

The colony grew slowly through the settlement of other towns in the neighborhood. Before long it became inconvenient for the voters or freemen to go to Plymouth to attend the legislative meeting, or General Court, as it was called. This led to the establishment of a representative system (1638), modeled on that of Massachusetts Bay (§ 61); but all the freemen continued to take part in the annual election of officers. As time went on, the franchise was gradually narrowed, until at length it became practically a religious qualification.

58. The Massachusetts Bay Company, 1629. — Massachusetts Bay had its origin in the desire of the English Nonconformists to found a settlement where they might work out their own ideas in church and state, and where, should occasion arise, they might find a refuge in time of need. Some of them obtained a grant of land from the Council for New England (§ 51) extending from three miles south of the Charles River to three miles north of the Merrimac and every part thereof, and westward between the parallels of points three miles south and north of the sources of these rivers to the South Sea (1628). The next year the king by royal charter confirmed this grant of land to the original grantees and others who meantime had become associated with them (1629). In the same charter the king gave them extensive powers of jurisdiction, amounting in fact to self-government. There was no requirement that the seat of government should be in England, as had been the case in all previous grants. The company was able legally to transfer the government of the colony to those of its members who proposed to emigrate; by so doing the charter of a colonizing company became the constitution of an almost independent state. The decisive step was taken at Cambridge (August, 1629) when many leading Puritans signed an agreement binding themselves to emigrate to Massachusetts.

The Massachusetts Charter, 1629. *Old South Leaflets*, Gen. Ser., No. 7; Winsor's *Boston*, I, 99.

The Cambridge Agreement, 1629. Winsor's *Boston*, I, 99–102; Hart's *Contemporaries*, I, No. 106.

The Puritans, the king, and the archbishop, 1629–40. Gardiner's *Puritan Revolution;* Fiske's *New England*, 97–102.

59. The Puritans in England. — The year 1628–29 marked the end of the first period in the contest between the Puritans and the crown over the question of taxation, a question which really included all others. The Petition of Right, to which the king had reluctantly assented in 1628, was violated, according to the Puritan interpretation of its most important clause, and the king, dismissing Parliament after a most violent scene (1629), arrested those who had been foremost in the defense of the cause of liberty, and seemed determined to govern England without parliaments in the future. Charles now began to rely upon the advice and judgment of William Laud, then Bishop of London, and later Archbishop of Canterbury. Like the king, Laud was a sincere, honest man of narrow mind and most intolerant of opposition. Both were strongly attached to the ceremonials of the Established Church and were resolved not merely to retain those still in existence, but to bring back many which had been discarded in former years. Deprived of their money without the consent of Parliament, and forced to take part in services which they regarded as idol worship, the Nonconformists resolved to make use of their charter and settle a colony in New England, where they would be far away from king and archbishop. This period of depression for the Puritans continued for eleven years (1629–40), when the king's quarrel with the Scots compelled him again to summon Parliament, this time under circumstances which gave the Puritans and other enemies of despotic government the power to compel him at least to listen to their remonstrances. From that time on the Puritans acquired more and more authority, until the decisive battle of Naseby (1645) made them masters of England.

Fiske's *New England*, 137.

The New England colonies of Massachusetts, Rhode Island, Connecticut, and New Haven were founded in the years of the supremacy of William Laud; his downfall led to an abrupt termination of Puritan emigration from England; indeed, the movement began in the other direction, and many of the leading New England colonists exercised

great influence in England during the time of the Commonwealth and Protectorate.

60. The Great Emigration, 1630–40. — The Massachusetts Bay Company planted its first colony at Salem in 1628; in 1629 the transfer of the charter was decided upon, and in 1630 the "great emigration" began. Led by John Winthrop, a man of property and ability, a fleet of fifteen vessels sailed across the Atlantic. More than one thousand colonists arrived during this year and founded the towns of Boston, Charlestown, Roxbury, Dorchester, Watertown, and Newtown, — later called Cambridge; within ten years no less than twenty thousand immigrants landed on the shores of Massachusetts. No movement like this had taken place before in historic times. There were already a few colonists living on the shores of Boston harbor. They were generally well treated by the new owners of the soil. One of the earlier comers, Thomas Morton, led a reckless life at Mount Wollaston, or Merry Mount as he termed it. His doings were not at all relished by the Puritans. They repeatedly arrested him and sent him away. In revenge he wrote a book, entitled *The New English Canaan*, in which he gave an outsider's view of Puritan institutions and manners. It seems most amusing to us; it was regarded by the Puritans as scandalous. Morton also proved useful to the enemies of Massachusetts in England.

Settlement of Massachusetts, 1628–30. Fiske's *New England*, 88–104; Hart's *Contemporaries*, I, Nos. 56, 57; Higginson's *Explorers*, 341–367.

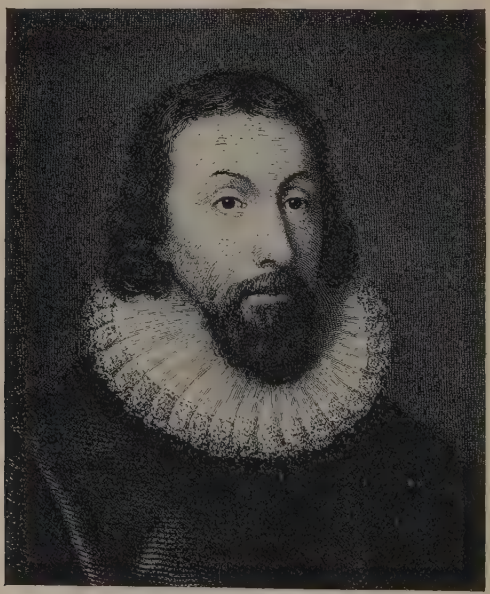
Morton at Merry Mount. Bradford in Stedman and Hutchinson, I, 107; Hart's *Contemporaries*, I, No. 103.

61. Problems of Government. — By the charter the powers of government were given to the freemen or stockholders of the corporation. Eight or twelve of them were in Massachusetts in 1630, and they possessed all powers of government in the colony, including the right to elect officers, make laws, judge offenders, and execute their own decisions. Had the original freemen refused to admit other persons to a share in their powers, they would have established an oligarchy. Happily, they decided to proceed in a different spirit. In May, 1631, they admitted to the company one hundred and sixteen persons. At the meeting at which this was done, however, the rights of the freemen were

The freemen of Massachusetts. Fiske's *New England*, 105–109.

Their government of the colony. Winthrop's *New England;* Hart's *Contemporaries*, I, No. 107.

greatly lessened, and the provision was made that in the future only Puritan church members could be admitted to the franchise. A few years later the freemen became restless. They demanded a sight of the charter and at once saw that the supreme power was with the assistants and the freemen in the General Court or meeting of the stockholders of the company. They repealed the law restricting



John Winthrop, Governor of Massachusetts

the powers of the freemen, and elected Thomas Dudley governor, in place of Winthrop. To this latter step they had been provoked by the declaration of John Cotton, one of the Boston ministers, that a man could not be turned out of office so long as he discharged his duties faithfully. It is interesting to observe how early a tendency toward democratic ideas showed itself in Massachusetts.

The freemen soon found it inconvenient to exercise their

hard-won powers of government: it was expensive to travel to Boston from the towns which soon sprang up all along the seacoast; and it was dangerous to leave their families unprotected. To overcome these inconveniences, they established a representative form of government by which the freemen in each town deputed two of their number to act for them as a committee at the General Court. They also established a system of voting by ballots or papers, as they called them, and worked out a clumsy mode of nominating candidates for office.

Representative government established, 1634.

62. Attacks on Massachusetts. — The prosperity of the new colony aroused the jealousy of other Englishmen engaged in colonial enterprises; it awakened the suspicions of the English government; and it attracted to Massachusetts many restless spirits.

There seem to have been two parties in the Council for New England: one of them was composed of Puritans, as the Earl of Warwick, from whom, as president, the grant of Massachusetts had been obtained; the other faction had no sympathy whatever with Puritan colonization. Sir Ferdinando Gorges was the leader of the latter group, and saw with dismay the sudden prosperity of the Puritans in Massachusetts and obtained an order from the court of King's Bench which was intended to be the beginning of the end of the Massachusetts Bay Company. Gorges also secured the surrender to the crown of the New England charter and was himself appointed governor-general of New England (1635). The outcome was not what he expected; the vessel which was to bear him to his new government was destroyed on the stocks, and the Massachusetts Bay Company paid no heed to the order of the king's judges. It was in this year (1635) that the second writ for ship money was issued; a monarch who could not pay the expenses of his court without raising a spirit of rebellion among his subjects at home, had no funds with which to wage war on far-off Massachusetts; the colonial authorities, therefore, paid no attention to the commands of

Gorges attacks Massachusetts, 1634–38. *Adams's *Three Episodes*, I, 240; Fiske's *New England*, 111–113.

Gardiner's *Puritan Revolution*, or any history of England.

the English government. The "disorders of the mother country," as Winthrop remarked, "were the safeguard of the infant liberties of New England."

Roger Williams at Boston and Plymouth. Fiske's *New England*, 114–116.

63. Roger Williams. — Roger Williams, a Puritan minister, came to Massachusetts in 1631. He at once declared it to be wrong for the colonists to attend the parish churches in England, as their habit was when they went back to the home land to bring their families to the colony or to arrange their business affairs. He then went to Plymouth, where his Separatist views found a more sympathetic hearing. Before he had been there long, however, he attacked the legal soundness of every land title in the colony, and asserted that "King James had told a solemn public lie" in declaring in the New England Charter that he was the discoverer of the lands therein granted. Williams maintained that the settlers should have bought their lands of the Indians. Soon afterwards, he returned to Massachusetts and became the pastor of the church at Salem. There again he and the leading men of the colony began to disagree. Among other things, Williams asserted that the magistrates had no power to punish offenses against the Sunday laws. Finally, Williams asked the other ministers to labor with the rulers to bring them to his way of thinking. The magistrates, on their part, ordered Williams to leave the colony; but, as he was in feeble health, they put off the day of his departure until the following spring. They understood that he would refrain from attacking them during the remainder of his stay in the colony; but the disputing began again, and they resolved to send him to England in a ship which was about to sail. Williams heard of their intentions and fled to the woods.

Banished from Massachusetts. Dexter's *As to Roger Williams*; Straus's *Roger Williams*.

Providence, 1636. Greene's *Rhode Island*, 7–16; Arnold's *Rhode Island*.

64. Founding of Providence, 1636. — Williams then founded the town of Providence, a few miles south of the Massachusetts line. He "bought the land" of the Indians, as the phrase was. We now know that it was impossible to buy Indian lands, because the natives had no idea of private ownership of land. They understood allotment of land for

a year for agricultural purposes, and some such idea was in all probability in the minds of the Indian chiefs who signed Williams's deed and who "sold" land to Baltimore's colonists, to William Penn, and to the settlers in Massachusetts where the grantees from the company were obliged to satisfy the Indian proprietors.

Religious freedom. Hart's *Contemporaries*, I, No. 115.

Williams founded his settlement on the basis of equality in the state and freedom in religious affairs. The religious freedom of Maryland was in the nature of toleration; in Rhode Island it was held that the state had nothing to do with a man's religion. It is to Roger Williams and to the settlers of Providence that the student must look for the origin of one of the most important principles underlying the American form of government, — the separation of church and state, which necessarily implies absolute religious freedom. For this Williams deserves a place beside the most prominent statesmen of the revolutionary and the constitutional periods.

The settlers in the new colony found it hard to understand the precise limitations of the new principle of government; in their new-found freedom, they did many things which greatly annoyed Williams, and he wrote a letter explaining the meaning of liberty. In this remarkable writing he likened a state to a ship with officers, crew, and passengers, among whom were persons of many religions. Liberty of conscience turned upon these two hinges, — that none of the ship's company be forced to attend the ship's services, or prevented from holding his own services. The commander of the ship, however, ought to command the ship's course, preserve order, and punish according to their deserts all who shall mutiny or assert that "there ought to be no . . . officers, because all are equal in Christ, therefore no masters nor officers, no laws nor orders, no corrections nor punishments."

Williams explains religious liberty. Arnold's *Rhode Island*, I, 254.

65. Anne Hutchinson and her Adherents. — Roger Williams had hardly ceased to offend the Massachusetts magistrates ere another comer appeared to cause some of them renewed perplexity. This disturber of the religious calm

Anne Hutchinson in Boston. Fiske's *New England*, 116–

was a gifted woman, by name Anne Hutchinson. Precisely what the doctrines were which she preached, it is not possible to say; Winthrop declared at the time that only a few who "knew the bottom of the matter could tell where any difference was." It is clear enough, however, what was at the bottom of the magistrates' and ministers' dislike of Mrs. Hutchinson: she set herself against the ministers. Many colonists at first looked upon her ideas with favor, and the new governor, Henry Vane, fell under her influence. Gradually, however, Winthrop and the old leaders regained their former authority. Vane departed for England and Anne Hutchinson was banished with her followers. With Williams's assistance they secured the island of Aquidneck, or Rhode Island (1637–38).

119; Welde's *Short Story* in Stedman and Hutchinson, I, 233–244; *Hart's *Contemporaries*, I, No. 108; Chandler's *Criminal Trials*, I, 3–29.

Sir Henry Vane, Governor of Massachusetts

Rhode Island settled, 1637. Greene's *Rhode Island*, 17–20.

66. Settlements on Narragansett Bay.—The Hutchinson colonists founded two towns on Rhode Island, —Pocasset or Portsmouth on the northern end of the island, and Newport on the southern end. Each town managed its own affairs, with a general government based on equal representation of the two towns for matters of general interest. Later, another town was founded on the mainland by an eccentric but sincere person, — Samuel Gorton. He had no objections to the other Puritan colonies on religious grounds, but he denied the legality of the government of Plymouth and

Samuel Gorton. Fiske's *New England*, 163–168. Hart's *Contemporaries*, I, No. 113.

of Portsmouth, as not resting on royal grants but on compacts between the settlers. Even Providence proved to be unfriendly to him; he secured land on the western side of Narragansett Bay and founded the town of Warwick. He, too, fell under the displeasure of the Massachusetts authorities, who arrested him; but in the end, with the help of the Puritan leaders in England, he was reinstated in his hamlet. In 1643 Roger Williams obtained from the Commissioners of Plantations, appointed by the Long Parliament, a patent known as the Incorporation of Providence Plantations. This instrument permitted the towns on Narragansett Bay to form a federal union, if they so desired; but no use was made of this permission until 1647.

Providence Plantations, 1647. Greene's *Rhode Island*, 23–27; Arnold's *Rhode Island*.

67. **Founding of Connecticut, 1635–40.** — Entirely unlike the feeble bands of colonists who settled the Narragansett towns were the numerous and well-equipped settlers who founded Connecticut. The former had been banished from Massachusetts; the latter left that colony owing to their dislike of the narrow spirit displayed by those who were in control of the government. Probably they also saw opportunities for material prosperity in the fertile Connecticut valley. At all events, in 1635 and 1636 the inhabitants of Newtown, with many of those of Watertown and Dorchester, founded three towns on the Connecticut River, which afterwards came to be called Hartford, Windsor, and Wethersfield. Two Puritan noblemen, Lord Brooke and Lord Saye and Sele, had obtained from the Council for New England a grant of this region. In 1635 John Winthrop, Jr., son of the governor of the Bay colony, acting as their agent, built a fort at the mouth of the Connecticut River, which he named Saybrook in their honor. It was scarcely more than a military post, but it was sufficient to maintain the control of the river for the English. These settlements were hardly made before a dangerous Indian war broke out with the Pequods. The campaign, which resulted in the extinction of the tribe, was conducted by Captain John Mason and his soldiers with wonderful skill. Those who wish to see the

Connecticut, 1635–37. Fiske's *New England*, 123–128; Walker's *Thomas Hooker* (M. A.).

The Pequod War. Fiske's *New England*, 129–134; Stedman and Hutchinson, I, 176–189.

Puritan soldier at his work in the forest should read Mason's account of this exploit and the glowing narrative of his vigorous supporter from Massachusetts, Captain John Underhill.

Connecticut Constitution, 1638–39. Hart's *Contemporaries*, I, 120; *Old South Leaflets*, Gen. Ser., No. 8.

68. Connecticut Orders of 1638–39. — The early history of Connecticut is important from a constitutional point of view. In the winter of 1638–39 the heads of families of the three towns of Hartford, Windsor, and Wethersfield met together and drew up a fundamental law, the Orders of 1638–39, which Bryce, an English writer on American politics, calls the "first truly political written constitution in history." The government established closely resembled that in operation in Massachusetts, with the important exception that there was no religious qualification.

Connecticut boundaries. Hinsdale's *Old Northwest*, 87.

69. Extent of Connecticut. — In the end the Connecticut colonists secured the rights as to land which Lord Saye and Sele and Lord Brooke had received from the Council for New England. This grant was limited on the east by the "Narragansett River," a stream which proved to have no existence. On this point a bitter contest arose with Rhode Island, which was finally decided by the English authorities against Connecticut; in this way the Pawcatuck, a river which nowhere approaches Narragansett Bay, became the eastern boundary of Connecticut. The western boundary of the latter colony under the grant above mentioned was the South Sea; but all attempts of Connecticut men to settle in Pennsylvania and New Jersey aroused fierce opposition.

Reasons for founding New Haven, 1638. Fiske's *New England*, 135.

70. New Haven, 1638. — The settlement of New Haven was due to the energy and ability of two men, — John Davenport and Theophilus Eaton. The former was a Puritan minister, the latter a prosperous merchant of London and one of Davenport's principal parishioners. Silenced by Laud, Davenport interested Eaton in a scheme of colonization, and the two determined to found a colony where they could try an experiment in government on their own lines, as the Massachusetts people were trying one on theirs. They soon gathered a large band of colonists and founded the colony of New Haven (1638). In the government of

their settlement (only church members had any share, and great care was taken as to the admission of persons to church membership.) Other churches and towns were soon founded in the vicinity and entered into confederation with New Haven; but the early career of New Haven was not fortunate. At length, in 1662, it was absorbed by the stronger colony of Connecticut.

Formation of the "Body of Liberties."

71. The First New England Code of Laws, 1641. — During the period of contest with the English government on the one hand, and with discontented persons in the colony on the other, the freemen of Massachusetts had constantly pressed for the publication of a code of laws. Until this was done, the magistrates enjoyed great freedom in applying the general rules of the English common law and the precepts and commandments set forth in the Bible. No man could be certain whether he were committing an offense or not. The magistrates opposed the making of the code, because as things were they exercised great power; they also feared lest the publication of the laws might give their enemies in England some ground on which to base a successful prosecution of the company. For years the demand of the freemen was put off by the expedient of referring the matter to committees which never reported. The meeting of the Long Parliament changed the whole aspect of affairs; the magistrates gave way, and a code was drawn up (1641). It was not printed at the time, but a manuscript copy has been preserved and reproduced in facsimile.

The "Body of Liberties." *American History Leaflets*, No. 25, §§ 1, 2, 18, 42, 46, 60.

Formation of the New England Confederation, 1643. Fiske's *New England*, 153–161.

72. The United Colonies of New England, 1643. — Meantime other settlements had been formed along the New England coast, in Maine and on the shores and rivers of New Hampshire. There were constant disputes as to jurisdiction between these colonies and Massachusetts which frequently used her power to enforce her own views to the disregard of the rights of others.

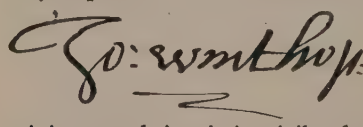
In 1643 the four colonies of Massachusetts Bay, New Plymouth, Connecticut, and New Haven entered into a league "for mutual help and strength in all our future con-

Reasons for union. *American History Leaflets*, No. 7.

cernements." The English government was now engaged in a deadly contest with the Puritans; it could no longer protect the American colonists, nor could it protest effectually against any measures they might see fit to adopt. The New Englanders were surrounded by enemies: the Dutch on the west, the French on the north, and the Indians all along the land frontier. The distance between the settlements on Massachusetts Bay and those on the Connecticut River prevented the formation of a general government, and some form of confederation, or "consociation" as they termed it, was the only way out of the difficulty.

Rhode Island and Maine not admitted.

Neither the Rhode Islanders nor the settlers in Maine were invited to join in this association. "Concerning the Islanders," wrote Brewster of Plymouth, "we have no conversing with them further than necessity or humanity may require." As to the dwellers on the Maine seacoast,



John Winthrop of Massachusetts wrote: "They ran a different course from us both in their ministry and in their civil administration; for they had lately made Acomenticus (a poor village) a corporation, and had made a tailor their mayor, and had entertained one Hull, an excommunicated person and very contentious for their minister." These two extracts show very clearly the light in which the colonists of Rhode Island and Maine were regarded by their fellow English settlers; plainly they would not have been acceptable in the "consociation."

Analysis of Articles of Confederation. *American History Leaflets*, No. 7.

73. **Articles of Confederation.** — The Articles should be studied in the original; a few points only will be noted here. The federal bond was of the loosest description, as each colony retained its "peculiar jurisdiction" (Arts. iii and viii). Each colony sent two representatives or commissioners to the meetings of the Confederation; this provision was most unfair to Massachusetts, as contributions in men and money were based on the fighting strength of the several colonies. It was not long (1653) before she

refused to be bound by the votes of the commissioners of the other confederated colonies and to take part in an Indian war; the Massachusetts magistrates voted that they "did not see sufficient ground . . . and therefore dare not exercise our authority to levy force within our jurisdiction." This is the first nullifying ordinance in American history; but Massachusetts acted on other occasions in an equally high-handed manner. The commissioners possessed extensive functions on paper (Arts. vi and viii), and, when all the colonies were agreed, exercised more power than any other body of men then in America. The Articles also contain (Art. viii) a provision for the return of fugitive servants and escaped criminals, which is generally regarded as the precedent for the fugitive slave laws of a later time. A species of court to settle disputes between members of the Confederation was also provided (Art. xi). The Confederation was of the greatest assistance to all the New England colonies, and not merely to its members; it gave a weight to their dealings with the Dutch and the Indians which no single colony could have had; and it carried the New England colonies through the most dangerous Indian conflict of colonial times, — King Philip's War.

Independent spirit of the New Englanders.

It must not be supposed that the independent spirit which led to the formation of the Confederation was in any way lessened by the success of their Puritan friends in England. On the contrary, the New Englanders used the Puritan triumph in England to forward plans for the self-government of New England. In 1643 the Massachusetts General Court voted to omit the words "You shall bear true faith and allegiance to our sovereign lord King Charles" from the magistrate's oath and did not insert a new form of words acknowledging allegiance to the Long Parliament. At about the same time, some of the leading Puritans in England suggested that any legislation which Massachusetts desired would be enacted by Parliament; but Winthrop declined the offer "lest in . . . after times . . . hostile forces might be in control, and meantime a precedent

would have been established." Thus, more than a century before the passage of the Stamp Act, we find the leading men in Massachusetts denying the legislative authority of Parliament over the colony. During the period of the Commonwealth, Massachusetts paid no attention to the Navigation Ordinances; she did not proclaim Cromwell and declined to recognize Richard as Protector, although asked so to do. The Confederation, also, maintained the attitude of an independent state towards the French and the Dutch.

Dutch discoveries, Hudson's voyage. Winsor's *America;* Gay's *Popular History*, I, ch. xiii; Higginson's *Explorers*, 281–296; Hart's *Contemporaries*, I, No. 38.

74. The Dutch Settlements. — In the first half of the seventeenth century, the Dutch were foremost amongst the commercial nations of the world. The Dutch East India Company was the most successful corporation of its kind in existence. On the decline of the Spanish sea power, the enterprising Netherlanders, in common with the French and the English, turned their attention to American exploration. In 1609 Henry Hudson, an English seaman in the employ of Dutch merchants, sailed across the Atlantic in search of the straits leading to India, which were thought to be somewhere north of the Chesapeake. He first sighted the coast of Maine, and then sailing southward, reached the capes of the Chesapeake. Turning northward, he entered what is now New York harbor. Boldly sailing up the river, which now bears his name, he navigated his vessel as far as Albany. While in the river he received several parties of Indians with great kindness, offering them spirits to drink, after the manner of the day. At almost the same time Champlain was not a hundred miles away, on the shores of Lake Champlain. He also met Indians and killed several of them. It happened that the natives entertained by Hudson and warred on by Champlain belonged to the League of the Iroquois, the strongest and most important Indian power in America. They never forgot their early hatred of the French, and always maintained the most friendly relations with the Dutch and their English successors, who in their turn treated them with justice.

Hart's *Contemporaries*, I, No. 39.

Following on Hudson's voyage, the Dutch established trading posts on the Hudson River: the most important one was Fort Amsterdam, on Manhattan Island; another was Fort Orange, on the site of the Albany of the present day. Dutch captains sailed along the coast eastward as far as Boston harbor and southward to Delaware Bay and River. In 1621 the Dutch West India Company was established; it had exclusive rights as to trade in lands bordering on the Atlantic — so far, of course, as the Dutch authorities could confer such rights. These early Dutch settlements were for the purposes of trade; it was not until 1623 that the first colonists came over.

Dutch trading posts. Roberts's *New York*, I, ch. iii.

New Netherland did not attract settlers, and, in 1629, the Dutch West India Company attempted to stimulate colonization by the establishment of patroonships. This arrangement was embodied in a document called the Charter of Privileges to Patroons; its principal provisions were that any member of the company who should transport, at his own expense, fifty colonists to New Netherland, should be entitled to a grant of land extending sixteen miles along one side of the river, or eight miles on both sides, if that were preferred.

The patroonships.

Each of these large grants was styled a patroonship, and the owner, or patroon, enjoyed extensive rights within its limits, subject, in important matters, to appeal to the company's representative at New Amsterdam. No sooner was the plan determined upon than the more enterprising directors sent out agents to seize the best lands. The most successful of these was Kiliaen van Rensselaer, a rich diamond merchant of Amsterdam, who acquired the region around Fort Nassau, or Orange. Subsequently, the system was modified to extend the rights of patroons to less important men, and, in 1639, the trade of the colony was thrown open to all comers, and land was granted in small quantities on payment of an annual rent.

75. Kieft and Stuyvesant. — In 1643–44, owing to the wretched mismanagement of Kieft, the governor, the colony

Kieft and Stuyvesant. Roberts's *New York*, I, chs. iv, v; Tuckerman's *Stuyvesant*; Hart's *Contemporaries*, I, 154.

became involved in a serious conflict with the Indians who lived in the vicinity of Manhattan Island; the colony was nearly ruined and Kieft was recalled. He was replaced by Stuyvesant, an able and energetic soldier, who had lost a leg in the company's service. Stuyvesant's administration was very despotic, as was that of all the Dutch governors. The people of New Amsterdam gained a few privileges of self-government in 1652, but Stuyvesant was able to deprive these concessions of nearly all their value. In his dealings with the neighboring English colonies, he was not so successful. The Dutch claimed as far east as the Connecticut River, which had been discovered by one of their navigators; but the Confederation of New England was too powerful for Stuyvesant; he was obliged to give way and to acknowledge the rights of the English settlers. With the Swedes on the Delaware he was more fortunate. Attracted by the advantages it offered, many Englishmen emigrated to New Netherland. Among them were some of the most important men of the Dutch colony. They taught their new associates the English hostility towards arbitrary rule, and the fall of New Netherland in 1664 seems to have been hailed with satisfaction by nearly all its inhabitants.

Swedish settlements. Roberts's *New York*, I, ch. vii.

76. The Swedes on the Delaware. — The Swedish settlements had their rise in the desire of Sweden's greatest king and one of Europe's greatest men, Gustavus Adolphus, to establish a colonial empire. It was not until after his death, however, that a beginning was made by the formation of a Swedish company, on the model of the Dutch and the English trading corporations. The new colony was planted on the southwestern side of Delaware Bay, on ground claimed by the Dutch. At the moment the Swedes were the foremost military power in Europe. The Netherlanders were practically under their protection, and could hardly refuse a few square miles of unoccupied land in America to such a necessary ally in Europe. In 1648 the Peace of Westphalia put an end to this state of affairs: the independence of the Netherlands was acknowledged by all the important powers;

there was no longer any necessity of dealing gently with the Swedish intruders; the Swedish colonists were conquered by Stuyvesant, and their territory again added to New Netherland (1656).

The colonies in 1660.

77. Summary. — In 1660 the Puritan supremacy suddenly came to an end: Charles the Second was restored to the throne occupied by his father, and a new page was opened in the history of England and of America. After the sixty years of colonizing activity described in this chapter, there were in North America the French settlers in the north, few in point of numbers but formidable on account of their organization and because of their influence with the natives — excepting the members of the League of the Iroquois. In the south, the Spaniards still maintained a feeble colony in Florida, at St. Augustine, and there were a few Spaniards in the southwest. On the seaboard of what is now the Middle States the Dutch were supreme. Between the Spaniards and the Dutch, and between the Dutch and the French, were English colonists. They occupied no great extent of territory, but they were more permanently fixed to the soil than were the French, the Dutch, or the Spaniards. They had established English home life and English institutions in their wilderness homes; and they were practically self-governing.

SUGGESTIVE QUESTIONS AND TOPICS

§ 35. French Colonization

a. Give a brief sketch of the career of Henry IV of France.

b. What further facts can you ascertain about Champlain?

§ 36. Revival of English Enterprise

a. Give a brief sketch of the reigns of the Tudors.

b. Have the voyages of Gosnold, Pring, and Weymouth any real importance in American history? Why?

§§ 37–46. Virginia

a. Give a connected account of the Plymouth Company; of the London Company.

b. Place as headings in note-book, "Slavery," "Representative Institutions," "Limited Power of Congress," and enter under them all fitting matter as you proceed.

c. Make a brief digest of English history, 1600–60, and place in parallel columns leading events in American history.

d. Compare conduct of Virginia and of Massachusetts during Puritan supremacy. Give causes of difference.

§§ 47–50. Maryland

a. What events of vital importance in American history are connected with Maryland's western and southern boundaries?

b. What matter in these sections must you enter in your note-book under "Representative Institutions"? What under "Power of Congress"?

c. In Congress where does the right of initiative belong? Where in the legislature of your own state? Where in the British Parliament?

d. Does the word "toleration" prove that absolute religious freedom did not exist? Give your reasons.

§§ 51–57. Puritans and Pilgrims

a. Puritans, Nonconformists, and Separatists: carefully define and explain.

b. What is a "pure democracy"? Does any such exist at the present time?

c. The "Pilgrim Compact"; its formation and provisions.

d. Trace at length the history of Plymouth to 1643.

§§ 58–63. Massachusetts Bay

a. Describe the struggle between the aristocratic and the democratic elements in Massachusetts.

b. Was John Cotton's declaration identical with the principle embodied in the present Civil Service Law? Give your reasons.

c. What in these sections will you note under "Representative Institutions"?

d. Do you blame the Massachusetts authorities for expelling Roger Williams or Mrs. Hutchinson? Were the two cases parallel?

§§ 64–66. Rhode Island

a. Roger Williams's place in history. Turn to passages in the Constitution which relate to this matter. How is it arranged in the constitution of your state?

b. Give Roger Williams's explanation of "liberty of conscience"; of civil liberty.

§§ 67–70. Connecticut

a. What spirit prompted the settlement of Connecticut? of New Haven?

b. Why did not Massachusetts need to draw up a written constitution?

c. Compare carefully the reason for the founding of Massachusetts, of the first Connecticut towns, of New Haven. What essential differences can you discern? What common elements?

§ 71. The Body of Liberties

a. Were the English people accustomed to a written code of law?

b. Look up some brief analysis of Magna Charta (*e.g.* Taswell-Langmead), and compare it with the Body of Liberties.

c. Turn to Constitution and find passages which relate to matters in sections of the Body of Liberties noted on margin of p. 79. Do the same with the constitution of your state.

§§ 72, 73. The United Colonies of New England

a. Were taxation and representation on the same basis in the New England confederation?

b. Place in note-book as headings: "Nullification," "Fugitive Slave Laws," "Colonial Denials of Supremacy of Parliament," and enter all fitting matter as you proceed.

§§ 74–76. The Dutch and the Swedes

a. Give a brief sketch of history of Holland to 1648, and add a briefer sketch of the Thirty Years' War.

b. Consider at length how the fortunes of the world might have been changed had Champlain treated the Iroquois kindly.

c. Do we owe any distinctive elements of our national progress to the Dutch settlers? Prove your statement.

Historical Geography

a. Represent in colors upon an Outline Map (1) the details of the Virginia charters (1606, 1609); (2) the boundaries of Maryland (1632); (3) the boundaries of New England (1620).

b. Represent in colors upon an Outline Map the boundaries of the New England colonies; Massachusetts (1629); New Netherland (1660).

c. Make any necessary changes in the map of your own state.

General Questions

a. What matter in this chapter must you enter in note-book under "Representative Institutions"? What under "Power of Congress"?

b. Pick out all statements in this chapter which illustrate the character and the spirit of the colonists of Virginia, of Maryland, of Plymouth, of Massachusetts, of Rhode Island, of Connecticut, of New Haven, and of New Netherland. Put them side by side and state the results of your comparison.

c. How many examples of federation does this chapter afford? State and compare.

d. Give a bird's-eye view of the colonies in 1660.

e. Make list of principal men in chapter, with dates; state under each man's name what he did.

f. Make a brief conspectus of all charters, showing (1) to whom granted, (2) purpose of grantee, (3) extent of land granted, (4) where governing power resided, (5) fortunes of charter.

Topics for Investigation by Individual Students

See directions under this head on p. 48.

a. The founding of Jamestown (53, last group except Winsor, and top 54).

b. The first American Assembly (56, last group).

c. Why did the Pilgrims come to America (65, first group)?

d. The Pilgrims, November–December, 1620 (65, last group, and 67, last one of second group).

e. The trial of Mrs. Hutchinson (76, first group).

f. The voyage of Henry Hudson, 1609 (82, first group).

CHAPTER III

A CENTURY OF COLONIAL HISTORY, 1660–1760

Books for Consultation

General Readings. — Higginson's *Larger History*, 169–191, 203–223; Thwaites's *Colonies*, 50–61, 76–81, 196, 220; Hart's *Formation of the Union*, 2–41; Fisher's *Colonial Era;* Sloane's *French War and the Revolution;* Lodge's *English Colonies;* Hinsdale's *Old Northwest*, chs. iii and iv; Fiske's *Civil Government*, 152–158.

Special Accounts. — Gay's *Bryant's Popular History;* *Winsor's *America, Memorial History of Boston* and *Cartier to Frontenac;* *Hildreth's *United States;* the state histories mentioned on page 49 and Egle's *Illustrated History of Pennsylvania;* *Jones's *Georgia;* Wilson's *Memorial History of New York* (city); *Janney's *Life of Penn;* Larned's *History for Ready Reference.* On French exploration and colonization: Parkman's *Jesuits, Pioneers,* and *La Salle;* Bourinot's *Canada;* Maurice Thompson's *Story of Louisiana;* Grace King's *New Orleans.* For the expulsion of the French, see: Parkman's *Half Century of Conflict, Montcalm and Wolfe,* and *Conspiracy of Pontiac;* Irving's *Life of Washington* (abridged ed.); *Dunn's *Indiana;* *Hibberd's *Wisconsin.*

Sources. — Chandler's *Criminal Trials;* Hutchinson's *Massachusetts;* Washington's *Autobiography;* Franklin's *Autobiography;* *American History Leaflets;* *Old South Leaflets;* Stedman and Hutchinson's *Library of American Literature;* *Hart's *Contemporaries.*

Maps. — Hart's *Epoch Maps*, Nos. 3, 4; Mac Coun's *Historical Geography;* Winsor's *America* and *Mississippi Basin.*

Bibliography. — Channing and Hart, *Guide to American History*, § 56 b (General Readings); §§ 102, 103, 105–108, 125–132 (Topics and References); § 23 (State and Local Histories); § 25 (Biographies); § 29 (Colonial Records); §§ 32, 33 (Writings and Autobiographies of Statesmen).

Illustrative Material. — *Wendell's *Cotton Mather* (M. A.); Mason's *Robert Cavelier* (M. A.); Page's *Thomas Nelson* (M. A.); *Hallowell's *Quaker Invasion of Massachusetts;* Irving's *Washington;*

Lodge's *Washington* (S. S.[1]); biographies of Franklin, Samuel Adams, Oglethorpe, and others, see *Guide*, §§ 25, 32, 33. Lowell's *Among My Books* ("Witchcraft"); Longfellow's *New England Tragedies* and *Evangeline;* Whittier's *Pennsylvania Pilgrims*, and *Witch of Wenham;* Irving's *Knickerbocker's History;* Bynner's *Begum's Daughter;* Seton's *Charter Oak;* Cooke's *Stories of the Old Dominion;* Caruthers's *Knights of the Golden Horseshoe;* Cooper's *Satanstoe, Waterwitch, Red Rover*, and *Leather Stocking Tales;* King's *Monsieur Motte;* Simms's *Cassique of Kiaway;* Catherwood's *The Lady of Fort St. John.*

A CENTURY OF COLONIAL HISTORY, 1660–1760

Clarendon and his colonial policy.

78. The New Era in Colonization. — Charles II was restored to the English throne in 1660; his leading adviser was Lord Chancellor Clarendon. They found much to condemn in the existing state of affairs in the colonies. The Puritans in New England, for example, seemed to look upon themselves as almost independent of England, and the people of no colony paid much attention to the commercial regulations which Parliament had laid down in the time of the Puritan supremacy in England. The first thing to do was to revive the navigation laws and then to enforce the royal authority in America. The First Navigation Act which was passed in 1660 provided that certain goods should be carried from the colonies direct to England; these were enumerated in the act, and hence were called the "enumerated goods"; among them was tobacco. This policy was developed as time went on; but the colonists constantly disobeyed these laws except those which limited the commerce of the empire to vessels owned and manned by the subjects of the English king, among whom, of course, were the colonists.

The Navigation Acts. Winsor's *America*, VI, 5–10. *American History Leaflets*, No. 19

George Fox and the Society of Friends.

79. The Puritans and the Quakers. — In the Puritan time in England many new sects arose, among them the Society of Friends or Quakers. Their founder was George Fox, a man of logical mind, who could express his ideas in language which plain men and women could understand.

[1] "American Statesmen" series, and so throughout these lists.

Among other things, he taught that God still appears to men and women and reveals to them his will. As between man and man, Fox held to extreme democratic views, based on a literal reading of the Bible. To him all men were equal; tokens of respect were due to no man, but to God alone. The Quakers, therefore, refused to address those in authority by their ordinary titles, as "Your Honor," etc. They also refused to take an oath of allegiance, or to swear to speak the truth in court, because the Bible commanded men to "swear not at all." It happened that the Puritans were very firm in their ideas on two of the points mentioned above: they believed that with the writing of the Bible the period of revelation had come to an end, and they demanded that those in authority should be treated with the utmost respect. The first Quakers appeared in Massachusetts in 1656; they addressed the magistrates as "hirelings, baals [priests of Baal], and seed of the serpent," and threw down a challenge which the magistrates were not slow to take up. They put the Quakers into prison for safe keeping until the vessel which brought them over was ready to sail on its return voyage. The Quakers next came overland by way of Rhode Island, where they were cordially received and sheltered. The Commissioners of the United Colonies (p. 79) now took the matter in hand and advised the members of the Confederation to pass laws providing banishment, under pain of death in case of return. In this they were merely following English examples, as it was in this way that Parliament had repeatedly dealt with persons of whose doings it did not approve. The Massachusetts General Court at once passed such a law, and the Quakers hastened to Boston to "test the law"; four of them were hanged, and others were severely punished.

Winsor's *America*, III, 469–473; Janney's *Penn*, ch. ii; Fiske's *New England*, 179–181.

The Quaker Invasion, begins 1656. Fiske's *New England*, 183–190; Chandler's *Criminal Trials*, I, 33–63; Stedman and Hutchinson, I, 394–403; Hart's *Contemporaries*, I, No. 140–142.

Many writers have sought to justify the action of Massachusetts on the ground that every state has the power to close its boundaries to outsiders and to eject from its midst any persons who are hostile to its well being. This power, the English government had delegated to the Massachusetts

Attempts to justify Massachusetts.

Bay Company, which undoubtedly possessed the legal right to refuse admission to the Quakers. It should also be said that the executions of the Quakers were disliked by the plain people of Massachusetts and were carried out only through a display of force.

The Quakers in the other colonies.

The other members of the Confederation made severe laws against the Quakers; but none of them proceeded to such extremities. Outside New England also, the Quakers were received with disfavor. For instance, in New Netherland, where Stuyvesant still ruled, they were treated with great harshness, were beaten, hung by the hands, and otherwise cruelly abused.

Massachusetts and England, 1661. Fiske's *New England*, 191–192; *Frothingham's *Republic*, 49–62.

80. The English Government and Massachusetts. — The Quakers complained of the action of the Massachusetts magistrates, and the English government at once interfered. From the outset the Massachusetts rulers had allowed no appeal from their decisions to the courts in England; it seemed now that a case had arisen where the English authorities might compel the colony to permit an appeal. An order was drawn up directing the Massachusetts Bay Company to send the Quakers to England for trial. But when the order reached Boston the laws had already been modified, the jails emptied of their inmates, and there were no prisoners under accusation to send to England.

The king's judges. Stedman and Hutchinson, III, 50; Fiske's *New England*, 192. *Stiles's *Judges of Charles I.*

A far more serious offense in the eyes of the new rulers of England was the sheltering of two of the judges who had signed the death warrant of Charles the First. These regicides, as they were termed, were seen in Boston by an English ship captain, who reported the matter to the authorities on his return to England. Orders were at once sent to the colony to seize them and send them to England. They escaped, however, and lived concealed in the New Haven colony, and later in the interior of Massachusetts. The colonial government showed so much zeal for their arrest, and so much skill in managing their escape, that the English authorities could do nothing in the matter, whatever their suspicions may have been.

Declaration of Rights, 1661.

81. Massachusetts Declaration of Rights, 1661. — Soon afterwards, the Massachusetts General Court drew up a Declaration of Rights, which carries us forward a century. In it the General Court asserted that its right to govern depended on the charter, which gave it full legislative power, provided its laws were not contrary to those of England. The charter, furthermore, gave it power to defend the colony, by sea and by land, against all persons who should seek to annoy the colony. "We conceive," said the General Court, that "any imposition [which is] prejudicial to the country, contrary to any just law of ours, [which is] not repugnant to the laws of England, to be an infringement of our right." This was plainly aimed against the Navigation Act. On the other hand, it acknowledged that the company had certain duties to perform: to bear allegiance to the king, to protect the person and the dominions of the monarch, and to govern according to the charter.

English demands, 1661.

Two agents were sent to England to try to smooth over matters. They returned with a royal letter in which the king told the men of Massachusetts that they might make "sharp laws against the Quakers," for their ideas "were inconsistent with any kind of government." The king's letter also contained some new demands: that the oath of allegiance should be taken, that divine service should be permitted according to the rites of the Church of England, and that all persons orthodox in religion, though of different beliefs as to church government, and of competent estate should be admitted to a share in the government. Accordingly, the General Court enacted a new law for admission to the company, in almost the words used by the king; but, as the certificate of orthodoxy was to be given by the ministers in the several towns, who were all Puritans, it is not probable that the new law helped those who were not church members. The General Court also made regulations better to enforce the Navigation Acts; but these, too, amounted to little in practice.

82. The Commission of 1664. — Massachusetts, it will be

Complaints against Massachusetts.

remembered, had governed the feeble settlements to the northward, to some of which she had a good claim; and she had treated the Rhode Island colonists in a most overbearing manner. From all these colonies complaints reached England, and the grantees of New Hampshire and Maine, whose claims Massachusetts had treated with scant courtesy, seized this favorable opportunity for revenge; nor were the discontented dwellers within the colony silent. The English government sent a commission to New England to examine into these accusations and to settle as many of these questions as possible. When the news of the appointment of this commission reached Boston the General Court ordered the fort in the harbor to be strengthened and prepared for defense; they also confided the charter to a committee for safe keeping.

Commissioners sent to Boston, 1664.

Failure of the commissioners.

The commissioners arrived in 1664, communicated their instructions to the General Court, and then departed to the conquest of New Netherland. In 1665 they returned to Boston and demanded a positive answer from the General Court, as to whether or not it recognized the force of the king's commission. The General Court replied that it was not its business to determine the force of the commission; it had a charter and was obliged to govern according to it. The commissioners then endeavored to hold a court in the king's name, but the magistrates warned all persons against attending it, on their duty to God and allegiance to the king. Beaten at every step, the commissioners returned to England. In 1666 the king ordered the Massachusetts authorities to send over some of their principal men to justify their proceedings; but the General Court declined to do so "on suspicion of the authenticity of the letter." Now again, as in 1635, events in England prevented the punishment of the colony; the Dutch were in the Thames, and were blockading London.

Connecticut and Rhode Island charters, 1662–63

83. Charters of Connecticut and Rhode Island. — While Massachusetts had been engaged in this contest with the crown, Connecticut and Rhode Island had won favors from

the king in the shape of two charters, one granted in 1662 to Connecticut and the other in 1663 to Rhode Island. These charters were drawn in such a liberal spirit that they continued to form the fundamental laws of Connecticut and of Rhode Island until 1818 and 1842. The voters of these two colonies were formed into corporations: to them was given practically all power, with the reservation of allegiance to the crown and the necessity of passing only such laws as should be conformable to the laws of England; their laws were not to be sent to England, but might be annulled by the king in council on appeal from the colonial courts. In other respects they enjoyed complete self-government: they elected their own officers and managed their own affairs to suit themselves. The Rhode Island charter also contained a provision for religious equality not unlike that of the second Carolina charter, which was granted in 1665. The boundaries of the two colonies, where they approached each other, were not accurately defined. Connecticut's western limits were in accordance with the terms of the old grant to Lord Saye and Sele and Lord Brooke (p. 77), and New Haven was included within it.

84. Conquest of New Netherland, 1664. — The continued possession of New Netherland by the Dutch was distasteful to the English; on the other hand, its acquisition by the English would greatly improve the latter's position on the continent. The conquest was easily effected, and the terms given to the vanquished were most liberal. Nine years later (1673) a Dutch fleet, happening to be on the coast, reconquered it; but at the Peace of Westminster in the following year (1674) it was ceded back to the English.

The English conquest of New Netherland, 1664. Winsor's *America*, III, 386–390; Roberts's *New York*, I, ch. vi; Hart's *Contemporaries*, I, 155.

In 1664, while it was still in Dutch hands, Charles II granted New Netherland to his brother James, Duke of York and Albany, who afterwards ascended the throne as James II. James, on his part, with true Stuart liberality, immediately gave the portion between New York harbor and Delaware Bay to two court favorites, — Lord Berkeley and Sir George Carteret. The latter had gallantly defended the

Grants of New York and New Jersey. Hinsdale's *Old Northwest*, 92–96.

island of Jersey against the Puritan forces, and the province was named in his honor, New Jersey. In the resettlement of New York after the conquest, the old Dutch names were changed to English ones: New Amsterdam became New York, and Fort Orange was called Albany; but there were surprisingly few changes which were likely to arouse opposition.

New York to 1688. Winsor's *America*, III, 392–411.

The people of all the colonies which had been settled by Englishmen enjoyed representative self-government; but New York had been settled by the Dutch and conquered by the English. Its people, therefore, enjoyed only the rights secured to them by the treaty which brought the conquest to a close. Indeed, it was not until 1684 that the first representative assembly met in New York. After the termination of the Dutch wars in 1674 New York began to grow rapidly; but throughout the whole colonial period, settlement was confined to Long Island and to the banks of the Hudson and the lower Mohawk rivers.

Roberts's *New York*, I, ch. xii.

Constitutional History of New Jersey. Winsor's *America*, III, 422–448; Hart's *Contemporaries*, I, No. 164.

85. Settlement of New Jersey. — The history of New Jersey is very complicated and difficult to understand. The colony soon became divided into numerous small portions, each with a history of its own; only the broad lines of development can be traced in this section. No sooner was the grant made than Berkeley and Carteret, the proprietors, took measures to settle a colony in the new province; they drew up and published an agreement known as the "Concessions." In this document they promised that those who should emigrate to New Jersey should enjoy religious freedom and a liberal government resembling that of Maryland. Rebellions began almost as soon as the colonists reached New Jersey. These troubles induced Lord Berkeley to sell his interest in the province to two Quakers, who soon quarreled. In the end about nine tenths of Berkeley's share passed into the hands of the trustees, the foremost of whom was William Penn. The Quakers then negotiated with Carteret and secured a division of the province into two parts, East and West Jersey. The Friends took the southwestern part and soon made many settlements. Later, in

The Quakers in New Jersey. Janney's *Penn*, ch. viii.

1682, they acquired Carteret's rights in East Jersey also. There was a good deal of doubt as to whether any powers of government were conferred by the Duke of York on the New Jersey proprietors. Sir Edmund Andros, governor of New York, claimed that the Duke had parted with his right to the soil only, and arrested the Jersey governors. In the end, however (1681), James gave way, and the Jerseys were governed by the proprietors. The later history of the province is the story of the gradual union of all these interests and the surrender of the jurisdiction to the crown. During the early part of the eighteenth century, the colony had the same governor as New York, with a legislature of its own; in 1738 a governor of New Jersey was appointed, and the province became independent. Owing to the frugality and industry of its inhabitants, to its freedom from fear of war, protected as it was by New York and Pennsylvania, and to the fertility of its soil, New Jersey enjoyed great prosperity, perhaps more than any other colony.

East and West Jersey.

86. William Penn. — William Penn, who first became interested in American colonization as one of the New Jersey trustees, was the foremost man among the Quakers and one of the most remarkable men of his time. Son of a distinguished admiral of the seventeenth century, he risked all chances of worldly advancement and pecuniary independence for conscience' sake and became a Quaker.

William Penn. Winsor's *America*, III 473–476; Janney's *Penn*.

William Penn

Desirous to extend his colonial interests, and wishing to have a colony in which he could try his own ideas of government, William Penn obtained from Charles

Penn enlarges his colonial interests. Janney's *Penn*, ch. xii.

II and James, Duke of York (1680–82), the Swedish-Dutch settlements on Delaware Bay and a vast region stretching westward from the Delaware through five degrees of longitude to which the name Pennsylvania was given. Of the latter territory William Penn was made proprietary on nearly the same terms on which the Baltimores held Maryland; but the laws of Pennsylvania, unlike those of its neighbor, were to be submitted to the king within five years and he might then annul them. Religious toleration also was guaranteed, but provision was made for services according to the rites of the Established Church. Penn's relations with the colonists of what is now the state of Delaware were not laid down in any charter, and this omission gave rise to trouble in succeeding years. Delaware finally (1703) became independent of Pennsylvania so far as the legislature was concerned; but both provinces had the same governor during the colonial period.

Extent of Penn's grant. Janney's *Penn*, ch. xviii; Hinsdale's *Old Northwest*, 98–104; Browne's *Maryland*; Fisher's *Making of Pennsylvania*, ch. xi.

87. Mason and Dixon's Line. — The boundary disputes of Pennsylvania have been almost endless. The dispute with Maryland began immediately; it was due to the loose geographical ideas of that time. The plan evidently was that Penn should possess a continuous strip of land on the southern and western shore of Delaware Bay and River, from Cape Henlopen to the northern boundary of Pennsylvania. This territory, so far as it lay south of the fortieth parallel, had been included in Maryland by the charter of 1632; but it was held that Baltimore had forfeited his rights in this region by permitting the Swedes and the Dutch to make settlements on Delaware Bay. When observations were taken on the spot, it was discovered that there was a gap of some sixteen miles between the northern limit of the Swedish-Dutch colonies, which Penn had obtained by release from the Duke of York, and Pennsylvania, which he had received from the king. The southern boundary of Pennsylvania was the fortieth parallel, which had been the southern boundary of New England under the charter of 1620 and the northern boundary of Maryland under the charter of

Mason and Dixon's Line. Hart's *Contemporaries*, I, No. 77

1632. Now a most awkward question arose: Penn was determined to retain the control of the navigation of the Delaware system and advanced arguments to show that Maryland had practically no right to any land at all. For years the disputation went on; at last, when both Penn and Baltimore were in their graves, an arrangement was made between their heirs which gave to Pennsylvania, to Delaware, and to Maryland their present boundaries (1732). Two English surveyors, Mason and Dixon, determined the eastern portions of these limits and ran the line westward for some distance, when their further proceedings were stopped by the Indians (1762–67). Subsequently the line was continued to the western boundary of Maryland, and was adopted by the states of Pennsylvania and of Virginia as limiting their respective territories. Such was the origin of Mason and Dixon's line, one of the most famous lines of demarcation in history.

88. The Northern Boundary of Pennsylvania. — On the north, Pennsylvania came into contact with Connecticut, Massachusetts, and New York. In the disputes which arose over this portion of Pennsylvania, the arguments which Penn had advanced to restrict Baltimore's grant were used with great force by Pennsylvania's opponents, and in consequence that state includes only two degrees of latitude, instead of three, as the words of the charter seem to indicate. The contention with Connecticut was especially violent. The Connecticut people had good ground for complaint, as their charter, granted in 1662, was clearly infringed upon by Penn's grant of some twenty years later. The dispute, continued throughout the colonial and the Revolutionary period, brought great misery to the dwellers in the Wyoming valley and on the upper Susquehanna, and

Northern limits. Fisher's *Making of Pennsylvania*, ch. x.

Charter of Pennsylvania

Hinsdale's *Old Northwest*, 110–118.

was only concluded at the time of the Connecticut cession of western lands to the United States (§ 223), by an arrangement which secured to her a valuable tract of land immediately west of Pennsylvania — known as the Western Reserve, which is now included in the state of Ohio.

Penn's Indian policy. Fiske's *New England*, 205; Stedman and Hutchinson, II, 227; Hart's *Contemporaries*, I, No. 163.

89. Penn and the Indians. — William Penn, like Roger Williams and other colonists, was anxious that the natives within the limits of his colony should be treated with justice. Penn's ideas were set forth in a broad way in a treaty with the Indians which was not unlike the agreements between the settlers of New York and the Iroquois, and between the Pilgrims and Massasoit. In all three cases, justice and fair dealing were promised on both sides, and, as a matter of fact, all three agreements were faithfully carried out.

The "Walking Purchase."

Penn made several other treaties with the Indians, which related more especially to the purchase of land. The best known of these, perhaps, was the so-called "Walking Purchase," by which Penn acquired a tract of land west of the Delaware, extending inland as far as a man could walk in three days. The Quaker proprietary, with a few friends and a body of Indians, walked out the first day and a half in a leisurely fashion; they accomplished about thirty miles, which was as much land as was needed at the moment. In 1737, years after Penn's death, the other day and a half was walked out, this time in an entirely different spirit. The Pennsylvania authorities then employed the three fastest walkers that could be found; one of whom covered eighty-six miles in thirty-six hours.

Government. Winsor's *America*, III, 483–489.

90. Government of Pennsylvania. — Colonists came to the new province in great numbers, attracted by Penn's reputation and by the promise of religious liberty. The proprietary conferred upon them almost complete power of self-government; he even abandoned the right to veto any legislation which they might adopt. Grave disputes arose: the colonists did not fulfill their obligations to the satisfaction of the proprietary, and he revoked the grant of self-government. In 1701 Penn granted the Charter of

Privileges, which remained the fundamental law of Pennsylvania until the American Revolution.

This document was in reality a written constitution. It provided (1) that no person believing in one God should be molested on account of religion; but (2) only those "who also profess to believe Jesus Christ the Saviour of the world" could take part in the government, and then only on promising allegiance to the king and fidelity to the proprietary; (3) no person should be disturbed in his property except by legal process; (4) an assembly, consisting of a single house, should annually be elected by the freemen, — which was interpreted to mean taxpayers; this assembly should exercise functions "according to the rights of free-born subjects of England, and as is usual in any of the king's plantations in America"; (5) the proprietary should be represented by a governor and council, who could negative any act of the assembly. The instrument also contained a provision for its amendment — except the clause as to religious freedom — provided the governor and six sevenths of the assembly should concur.

Charter of Privileges, 1701. *Charters and Constitutions*, II, 15–36.

This charter put an end to disputes with the proprietary as to forms of government; but during the greater part of the first seventy years of the eighteenth century there was a fierce controversy over the question of the taxation of the proprietary's lands: the people asserted that these should be taxed like the lands of any private person, while the Penns claimed freedom from taxes on the ground that they were representatives of the king. Franklin went to England to lay the views of the colonists before the home government; in the end, the Privy Council decided in favor of the Pennsylvanians (1759), on certain conditions, however, which were by no means to the colonists' liking.

Controversies with the Penns.

91. The Carolina Charters, 1663, 1665. — The new outburst of colonizing spirit which followed the Restoration of Charles II was not confined to the northern and middle colonies: it led also to the founding of a new colony south of Virginia, which was named Carolina in honor of the

Carolina charters, 1663, 1665. Winsor's *America*, V, 290.

second Charles. An earlier charter had already named this region Carolina for the first Charles. Among the grantees under the new charter (1663) were Clarendon, Albemarle (General Monk of Cromwell's time), Anthony Ashley Cooper, at the time known as Lord Ashley and later as the Earl of Shaftesbury, Sir William Berkeley, and the two grantees of New Jersey, Lord Berkeley and Sir George Carteret. The territory given to them lay between the thirty-first and the thirty-sixth parallels of latitude, and extended from the Atlantic to the Pacific. A part of it was within the limits of Virginia under the charter of 1609, and two years later (1665) by another grant the northern boundary of Carolina was pushed still farther north to include one half a degree more of Virginia soil (36° 30′). At the same time, the southern boundary was pushed two degrees farther south to the twenty-ninth parallel (map, p. 68).

Limits. *American History Leaflets*, No. 16.

The most interesting provision in the charter of 1665 is one which guaranteed freedom of conscience and worship to all Christians on condition that "they abused not their liberty to the disturbance of others." In other respects, the Carolina proprietaries enjoyed the same powers of government as the grantees of Maryland (p. 61).

Religious freedom.

92. Settlement of the Carolinas. — Preparations were at once made to take possession of the new province. Settlers already were living in the northern parts, on Albemarle Sound, and a few New Englanders had at one time settled on the Cape Fear River, but it is not certain whether there were any living in that region in 1663. Colonists came soon from the Barbados, and a prosperous settlement sprang up in the northern portion of the province.

Early settlements. Winsor's *America*, V, 287–290.

In 1670 the first band of immigrants came to the southern part of Carolina and settled on the southern side of what is now known as Charleston harbor. This famous port is formed by two rivers, the Ashley and the Cooper, named in honor of the Earl of Shaftesbury; between them was a bit of ground destined by nature to become the seaport of the southeast, as Manhattan Island was designed to be the

Charleston, 1680. Winsor's *America*, V, 307–309.

commercial center of the north. It was not until 1680 that the colonists moved across the Ashley to Oyster Point, as this tract between the rivers was then called, and laid the foundations of Charleston. The new settlement throve, and by the end of the century, notwithstanding troubles with Indians and with the Spaniards, it was well established.

Virginia, 1660–76. Winsor's *America*, III, 149.

93. Grievances of the Virginians, 1660–76. — The Restoration brought even more trouble to the loyal colony of Virginia than it did to the members of the Puritanical New England Confederation. Virginia's royalist governor, Sir William Berkeley, was one of the Carolina grantees and a party to detaching from the Old Dominion a large piece of her territory. To requite the proffered hospitality of the Virginia royalists (p. 59), Charles II, while still in exile, had renewed his father's grant of Virginia to several court favorites. After the Restoration (in 1663), he granted the whole colony to two men, Arlington and Culpeper, who were nearly as disreputable as he was himself. This made them masters of the province, and the Virginians were obliged to buy them off as well as they could. The new rulers of England also enforced the Navigation Acts with more vigor than the Puritans had done, and by new laws (p. 90) interfered with the tobacco trade, and caused a serious diminution in the price of that staple. The Virginians petitioned for relief, but received none.

Hart's *Contemporaries*, I, No. 70.

The royalist faction naturally gained the ascendency in the colony at the Restoration; they made sharp laws against religious dissenters, paid no attention to education, and very little to religion. Corruption and extortion prevailed in all branches of the government, and no election to the assembly was held for fourteen years. Then this ancient legislative body, which had been in existence since 1660, enacted a law greatly restricting the franchise, and it was proposed to hold a new election under this act. Affairs were in a critical condition when the Indians became very restless. The governor took little interest in plans for protecting the colonists, and was believed to be more concerned for the

prosperity of the natives than he was for the safety of the settlers, as he received the net proceeds of the duties on the furs exported.

Bacon's Rebellion, 1676. Winsor's *America*, III, 151–153; Stedman and Hutchinson, I, 445–478; Hart's *Contemporaries*, I, No. 71.

94. Bacon's Rebellion, 1676. — Nathaniel Bacon, an able and popular man, now stepped forward and assumed charge of the war with the savages. Berkeley, on his part, declared Bacon and those who aided him to be rebels; this declaration was the signal for a general uprising. It is useless to follow the course of this revolt: wherever Bacon appeared, he was successful, but as soon as his back was turned, Berkeley gained the upper hand. Before long Bacon died, and the excitement came to a sudden end. There are indications to the effect that Bacon hoped to unite other colonies with Virginia in resistance to the royal authorities. The most regrettable thing about Bacon's Rebellion was that it prevented the granting of a charter giving the Virginia colonists the government of the province on substantially the terms of the Connecticut and Rhode Island charters.

Virginia to 1700. Winsor's *America*, V, 263–265; Stedman and Hutchinson, II, 265; Hart's *Contemporaries*, I, No. 89.

95. Virginia, 1677–1700. — Virginia next fell into the hands of a most greedy set of governors, — Lord Culpeper, Lord Howard of Effingham, Sir Edmund Andros, and Sir Francis Nicholson. The only important event of their time was the founding of William and Mary College, named after its royal patrons, the king and queen of England (1692). Its founder was the Rev. James Blair, who desired to establish an institution in which young Virginians might be educated for the ministry of the Established Church. Little was realized in this respect, but the college provided a fair training for those young Virginians who could not go to a Northern college or to England for an education.

King Philip's War. Fiske's *New England*, 207–241; *Old South Leaflets*, VIII, No. 4.

96. Overthrow of the Massachusetts Charter. — The years 1675–76, which were so eventful in the history of Virginia, were even more important in the annals of New England, for then occurred a terrible struggle with the natives, which is known as King Philip's War, from the name of the Indian chief who organized the movement. The contest resulted in the crushing overthrow of the Indians; it also greatly

diminished the power of the New England colonies to resist the renewed attacks of their enemies in England. The chief causes of complaint on the part of the English authorities were the non-observance of the Navigation Acts, the independent attitude of the colonists in King Philip's War, and the purchase of Maine by Massachusetts.

In 1676 Edward Randolph arrived at Boston. He came as the bearer of a letter from the king, in which the monarch vigorously complained of the action of Massachusetts as to the Navigation Acts. Randolph's further duty was to spy out irregularities in the conduct of the government, on which a suit could be founded for the revocation of the Massachusetts charter. He had no difficulty in discovering many unlawful proceedings, and he drew up a report stating the results of his observations. The attack on Massachusetts was part of a general scheme for the consolidation of all the colonial governments, save Pennsylvania and Carolina, under the direct control of the crown. Had the plan been carried out, the whole power of the English-American colonies would have been wielded by one hand. This would have greatly increased the power of England to resist French aggressions, and would also have led to a corresponding diminution in the ability of the colonists to withstand the attacks of king and of Parliament. After a prolonged legal contest, the Massachusetts charter was annulled (1684) and the government of Massachusetts was confided to Joseph Dudley, son of one of the founders of the colony. He was soon replaced by Sir Edmund Andros, once governor of New York.

Renewed attack on Massachusetts, 1676–84. Fiske's *New England*, 253–266.

Massachusetts charter annulled, 1684. Hart's *Contemporaries*, I, No. 135.

97. The "Stuart Tyranny in New England." — Sir Edmund Andros was a faithful servant of bad masters. He was directed to exercise in Massachusetts powers similar to those wielded by the governor in the conquered province of New York. All authority was given to his council; but the latter was so servile that it is correct to say the governor possessed sole power. No provision was made for any representative legislative body: Andros decreed laws,

Andros in New England. Fiske's *New England*, 267–271; Wendell's *Cotton Mather*.

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levied taxes, executed the law, and, through judges who owed their appointments to him, exercised judicial power. Many of his acts, which seemed harsh to the Puritans of that time, do not appear so severe to us. For instance, he compelled witnesses to kiss the Bible when they took an oath to give true testimony, and he insisted that those whose land titles were defective should have them confirmed by himself as representative of the king. But Andros's methods of performing his duties were most ungracious, and he abused his power to seize private property. It must be remembered, however, that he had to deal with a most able opposition.

Sir Edmund Andros

The dominion of New England, 1688. Hart's *Contemporaries*, I, 122.

Steps were also taken to secure the revocation of the charters of Connecticut and of Rhode Island, but no judgment was ever recorded against these colonies. Nevertheless, Andros took control of them, in conformity with a new commission issued in 1688. This commission greatly extended the limits of his authority: the Dominion of New England, of which he was appointed governor, included all the English possessions on the continent south of the St. Lawrence and north of Pennsylvania. Boston remained the principal seat of government, and Andros was represented at New York by a deputy governor, Francis Nicholson. The revocation of the Maryland charter was also in contemplation, and the plans of the Stuart monarchs seemed

about to be accomplished, when the "Glorious Revolution of 1688" hurled James II from the throne. It may be said, therefore, that the Revolution had as important consequences for America as it had for England.

98. The "Glorious Revolution" in America. — The news of the landing of William of Orange, in November, 1688, reached Boston in March, 1689, and the flight of James II was probably known to the colonial leaders not long after. At all events, on the morning of April 18, the town was full of armed men; Andros was arrested and placed in confinement, and the commander of an English frigate, which happened to be in the harbor, was compelled to strike her topmasts and send her sails on shore. A provisional government was then formed under the old charter, and William and Mary were proclaimed king and queen. Connecticut and Rhode Island re-established their old charter governments.

Overthrow of Andros. Fiske's *New England*, 272; Stedman and Hutchinson, II, 72; *Hart's *Contemporaries*, I, No. 136.

In New York there was serious trouble, due to the sharp political and religious divisions which prevailed in that colony. The power passed to Jacob Leisler, a German merchant and captain of the trained band of New York. He was a man of force, but he lacked discretion, and he also was opposed by the extreme English faction.

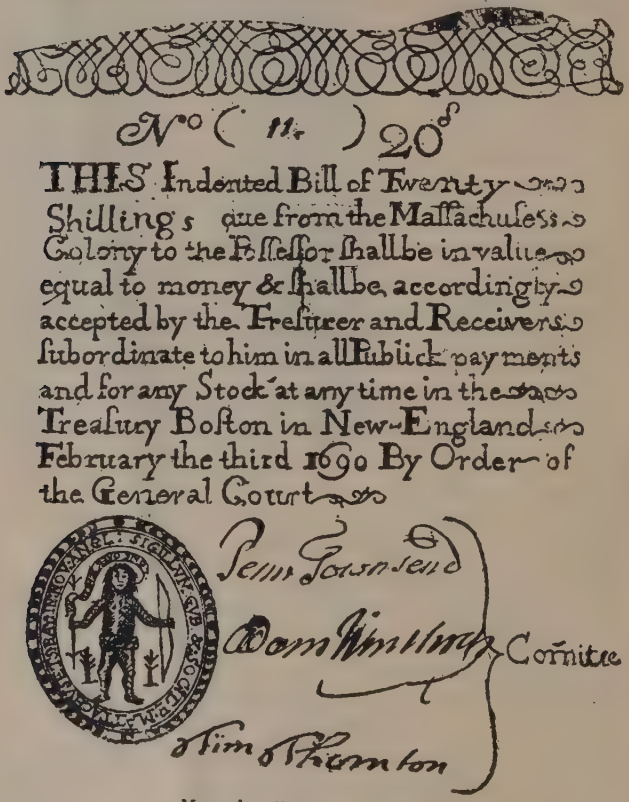
"Leisler's Rebellion." Stedman and Hutchinson, II, 478; Chandler's *Criminal Trials*, 257–266; Hart's *Contemporaries*, I, No. 157; Roberts's *New York*, I, ch. xiii.

In Maryland, the Protestants, especially those of the Established Church, were opposed to the proprietary's rule. Led by John Coode, they seized the government and sent an address to William and Mary. On the other hand, Baltimore was peculiarly unfortunate: he dispatched a messenger to Maryland directing his governor there to proclaim the new monarchs, but the bearer of this order died while on the way, and the successors of James were not proclaimed.

99. Policy of the New Government. — When William and his advisers were able to look away from the British Isles and to examine into the condition of affairs in England's possessions beyond the sea, they found themselves greatly perplexed. The case of Maryland was clear enough: they could not allow the province to remain in the hands of a

William's colonial policy.

nobleman who did not recognize their authority. A royal governor was sent to Maryland, but the charter was not revoked. Some years later, in the time of Queen Anne, a Protestant Lord Baltimore regained the jurisdiction. As to


N° (11) 20s
THIS Indented Bill of Twenty
Shillings due from the Massachuses
Colony to the Possessor shallbe in value
equal to money & shallbe accordingly
accepted by the Treasurer and Receivers
subordinate to him in all Publick payments
and for any Stock at any time in the
Treasury Boston in New-England
February the third 1690 By Order of
the General Court
Penn Govr
Com
Tim Thornton

Massachusetts currency, 1690

Pennsylvania, the government of that province was confided to the governor of New York, but afterwards it was restored to Penn. The Baltimores and the Penns continued to exercise the powers of proprietaries until the American Revolution.

In New York, affairs did not progress so smoothly. The new government at first recognized Leisler's authority, but later appointed a governor, Henry Sloughter, to supersede him. Unfortunately, Sloughter fell under the influence of the English party. Leisler had laid himself open to a charge of technical treason; he was convicted and sentenced to death. Sloughter, while intoxicated, signed a warrant for his execution, and Leisler was hanged before the intemperate governor came to his senses. Afterwards the English government did what it could by a public funeral and a pension to his widow to atone for this murder of one of the best friends of the "Glorious Revolution."

Execution of Leisler. Roberts's *New York*, I, 206–214.

The people of Connecticut and of Rhode Island were not further molested. With regard to Massachusetts, the case was different: her charter had been annulled. Besides, the Bay colony had shown too much strength to be permitted again to become practically independent A new charter, usually called the Province Charter, was drawn up and issued in 1691. This established a form of government midway between that of an independent colony like Connecticut, and that of a royal province like Virginia: the governor, secretary, and treasurer of the new province were to be appointed by the king; the council, however, was to be elected by a body representing the people, subject to the confirmation of the governor; to the representatives was also confided the initiative in financial matters, — which gave the skilled politicians of Massachusetts the chance to take away from the governor most of the power which the charter had given to that official.

The Massachusetts Province Charter, 1691. Fiske's *New England*, 273–278; Winsor's *America*, V, 87–92.

Massachusetts, as a province, included New Plymouth, Maine, and the English possessions to the eastward; but New Hampshire was given a government of its own. A form of words was used in the new charter to describe the boundary between these provinces which the English Privy Council, of a later day, interpreted to mean that Massachusetts extended to a point three miles northward of the most southern point of the Merrimac only, instead of to a point

Limits of Massachusetts.

three miles northward of the most northern point of that stream, as the old charter had plainly intended. The limits of Massachusetts still extended westward to the South Sea, as they had in the charter of 1629.

Character of period, 1690–1760.

100. Georgia. — The period from the accession of William and Mary to the beginning of the events (1760) which led directly to the separation of the colonies from the British Empire, was a time of great material prosperity within the English colonies, and of conflicts with the French on the north and west and with the Spaniards on the south. Only one new province was founded during this period, and the colonies grew rather by developing the resources within their limits than by planting new settlements.

Oglethorpe and founding of Georgia, 1732. Winsor's *America*, V, 361–367, 387–389.

The new province, Georgia (1732), had its rise in the desire of General Oglethorpe and other benevolent persons in England to provide a place in America where those who had been unsuccessful at home might obtain a new start in life. But these charitable people laid down conditions which greatly hampered those whom they wished to benefit: they granted land in too small quantities, and forbade negro slavery. In consequence, the Georgia settlers found it impossible to compete with the Carolinians on the other side of the Savannah River. Unable to own slaves, they hired them of the Carolina slave owners, and in this way slavery was introduced into Georgia. The Spaniards viewed the newcomers with jealousy, and Oglethorpe passed most of his time while in America in dreary, but on the whole successful, conflicts with them. The Georgia charter contained an unusual clause, limiting the existence of the company to twenty-one years. Before that time had expired, the trustees were so disheartened that they surrendered their charter to the crown, and henceforth Georgia was governed as a royal province.

Carolina Rebellion, 1719.

101. The Carolinas. — Meantime a great change had come over the Carolinas. The proprietaries' government had been most unsuccessful, and had become intensely unpopular in the colony. One of the most curious results of their

policy was to give an undue amount of influence to the people of Charleston and its immediate neighborhood. The elections to the assembly were held in the open air at Charleston, and the votes were given *viva voce*. The people were anxious to have the colony divided into districts, but the system above described gave the governors an unusual chance to control elections, and nothing was done. In 1719 matters reached a crisis, and the proprietaries' governor was deposed. Anxious to secure the revocation of the Carolina charter, the English government seized upon this favorable opportunity to send out a royal governor. After vain attempts to assert their authority, the proprietaries, save one, sold to the crown (1729–31) their rights of government and their title to the undivided lands in the province.

Winsor's *America*, V, 322–329; Stedman and Hutchinson, II, 277.

From the beginning, there had been two centers of settlement and government in Carolina; this division was now recognized, but the line between the two provinces was not run for many years. Under the royal governors, the Carolinas became very prosperous, especially after the founding of Georgia relieved them of danger from Spanish attacks. In 1738 a serious slave insurrection startled the colony; it was put down, and led to the enactment of a most severe system of slave laws. There were also troubles with the Indians, and with a succession of extortionate royal governors; but, on the whole, the Carolinas grew rapidly in strength and resources.

The Carolinas to 1760. Winsor's *America*, V, ch. v.

102. Constitutional Progress, 1689–1760.—The first half of the eighteenth century witnessed a gradual but steady growth in the power of the representative legislative bodies, except in Connecticut and Rhode Island, where they were already supreme. In this growth they were greatly assisted by the poor character of the royal governors, who were for the most part men of broken fortune and of little force. The disputes generally turned on questions of money: the governors desired to have their salaries fixed by law; the assemblies preferred to regard them in the light of pay-

Characters of royal governors.

ments for services rendered, — generally the approval of some measure opposed to the policy of the home government. The worst royal representative who ever came to America was probably Lord Cornbury, governor of New York and New Jersey. He was the grandson of the first Earl of Clarendon and cousin to Queen Anne. His first exploit was to steal twelve thousand dollars which the New York assembly had voted for fortifications. The representatives thereupon declined to vote any more money unless it should be expended by officials in whom they had confidence. When his recall brought him under the jurisdiction of the law, he was arrested for unpaid debts and lodged in jail until his accession to the earldom of Clarendon enabled him to satisfy his creditors and to return to England. The Virginians were also subjected to a succession of extortionate rulers, from one of whom they obtained the right to appoint the Speaker of their assembly, and from another they wrested the appointment of provincial treasurer. These are only instances of what was going on in all the royal provinces; everywhere the royal authority was constantly weakened, and the power of the colonists constantly increased.

Lord Cornbury.

The French and Indian Wars. Parkman's *Works*; Winsor's *America*, V, 407–413.

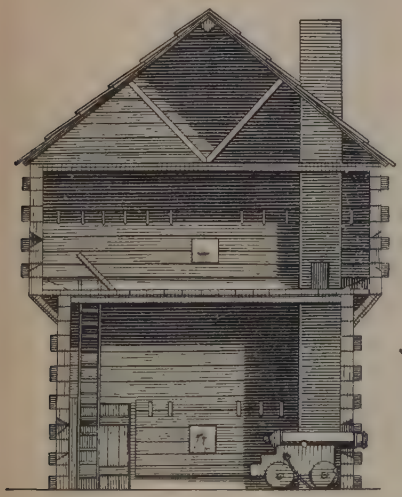
103. French and Indian Wars, 1690–1748. — The accession of William of Orange to the English throne entangled England in the great struggle between the French monarchy under Louis XIV and the other states of Europe; the contest spread to America, and the colonists were involved in continuous strife with the French and their Indian allies, which continued with hardly a pause for upwards of half a century. These conflicts have been graphically described by Parkman in his *Frontenac and New France* and his *Half Century of Conflict*.

Peace of Utrecht, 1713.

The earlier part of this period of strife came to an end in 1713 with the Peace of Utrecht. This is the first important treaty in the diplomatic history of the United States. By it France finally conceded to Great Britain the territory which had been explored by Henry Hudson in 1610.

Port Royal, the principal town of Acadia, had been conquered by the English in 1690, but had been restored to the French by treaty in 1697; it had again been seized by the English in 1710, and was now, with all Acadia, definitely ceded to Great Britain. The boundaries of Acadia, or Nova Scotia, as the English called it, were very vague: the French asserted that this province included

Acadia and Acadians. Winsor's *America*, V, 415–417, 452–463; Parkman's *Montcalm and Wolfe*;



A Block House, Interior

A Block House, Exterior

only the peninsula which is now known as Nova Scotia; the British argued that Acadia extended westward to the English settlements in Maine and northward to the St. Lawrence. The treaty also provided that the French colonists in the ceded country should enjoy certain rights; but these rights were not defined. In the end the Acadians were removed in 1755, when war with France was again imminent. Other provisions of the treaty related to the enjoyment of the fisheries by the subjects of the two monarchs; this part of the treaty has formed the basis of all later negotiations on the subject.

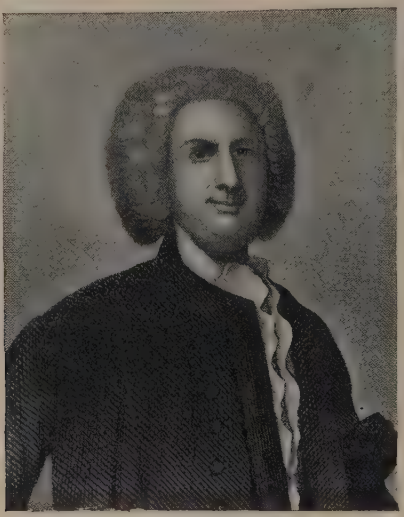
Stedman and Hutchinson, III, 58.

Peace of Aix-la-Chapelle, 1748.

In 1745 Great Britain and France were again at war. The New England colonists under William Pepperrell, with slight support from a British naval force, captured the important military post of Louisburg on the island of Cape Breton; but this was restored to the French at the Peace of Aix-la-Chapelle in 1748.

The French on the Mississippi, 1673–81. Winsor's *America*, IV, ch. v; *Old South Leaflets*, VII, No. 2; XI. No. 8. Map in Hinsdale's *Old Northwest*.

104. Founding of Louisiana. — During the seventeenth century, the French had gradually extended their explorations westward along the Great Lakes. In 1673 two Frenchmen, Joliet and Marquette, penetrated to the upper waters of the Mississippi, and in 1680 Hennepin discovered the Falls of St. Anthony. The next year Robert Cavelier de la Salle voyaged down the Mississippi to its mouth and returned again to the French settlements in Canada. He then led a French colony to occupy the region about its mouth, but the attempt ended in disaster.

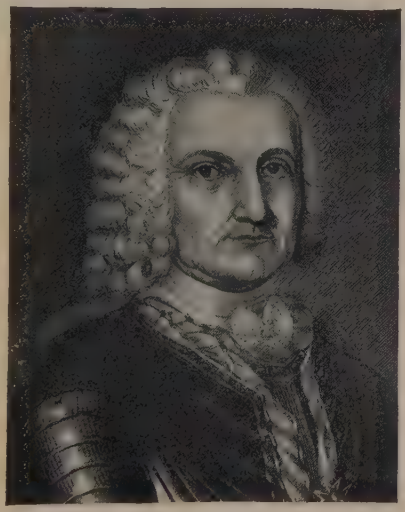


Pepperrell

Louisiana, 1699. Winsor's *America*, V, ch. i.

In 1699 another French expedition appeared off the delta of the Mississippi. Its commander was Iberville, and with him was associated Bienville, who remained in the colony as governor. The settlers at first landed on one of the islands to the east of the Mississippi, but later they moved to the shores of Mobile Bay. Later still, in 1718, New Orleans was founded. To counteract this renewed colonizing activity of the French in the south, the Spaniards founded the town of Pensacola. Louisiana, as

the French termed this southern colony, grew very slowly; the people were frequently on the edge of starvation, and they were attacked by the Indians as the French never were in Canada. In time, however, settlements were made higher up the river, and other colonies were planted on the upper waters of the Mississippi system. The next step was to unite Canada and Louisiana by a chain of posts extending down the Ohio River. This attempt brought on war with the English, who had now (1754) begun to direct their attention to the trade of the fertile country immediately west of the Alleghanies.



Bienville

105. Expulsion of the French, 1754–63. — The building of Fort Duquesne by the French at the confluence of the Alleghany and Monongahela rivers brought matters to a crisis (1754). The English in Virginia protested, and, not being heeded, sent a small army under Colonel Washington to enforce their protest. He was defeated and forced to surrender. From this beginning the conflict rapidly enlarged and soon became merged in a tremendous war which broke out in Europe in 1756 and is known in history as the Seven Years' War. England was now the ally of Frederick the Great of Prussia; against them was arrayed the mighty power of France, Spain, and Austria. This conflict made many military reputations, — Frederick in Europe, Clive in India, Wolfe and Amherst in America;

French and Indian War, 1754–63. Parkman's *Montcalm and Wolfe*; Winsor's *America*, V, ch. viii.

Peace of Paris, 1763. *American History Leaflets*, No. 5; Hinsdale's *Old Northwest*, ch. v, Maps, pp. 62 and 68.

it also brought to power the greatest war minister England has ever produced, — William Pitt. For America it resulted in the retirement of the French from the continent of North America. This arrangement was embodied in a great international agreement known as the Peace of Paris of 1763. By this treaty France ceded to Great Britain all her possessions in North America east of the Mississippi and of the island on which New Orleans stands, with the exception of two small islands in the Gulf of St. Lawrence. Spain, on her part, ceded to Great Britain her colony of Florida in exchange for Havana, which the English had occupied during the war. To recompense Spain for this loss, France ceded to her all of the French possessions in America west of the Mississippi and also the island on which New Orleans stands. The treaties further provided that vessels of Spain and Great Britain should enjoy the free navigation of the Mississippi. Moreover, it was agreed that the French colonists in Canada should be allowed the exercise of the Roman Catholic religion "so far as the laws of Great Britain permit." The British monarch, on his part, gave up his claim to lands west of the Mississippi. The importance of this settlement in the history of the English-American colonists can hardly be overstated. Relieved of the pressure from without, which they had manfully withstood for so many years, they were free to develop their material resources and to protest without fear of foreign

Wolfe

attack against measures of the British government which threatened their prosperity or their free institutions. At once the English authorities made arrangements for the government of its new dominions, and in so doing trenched heavily on the rights of at least three of the colonies.

106. The Proclamation of 1763. — The most important and pressing need was to make provision for the government of those portions of the new dominions that were already occupied by Europeans. The king therefore issued a proclamation (1763) establishing three new English provinces: Quebec, and East and West Florida. The southern boundary of Quebec was stated to be the forty-fifth parallel from the St. Lawrence River to the highlands which separate "the rivers that empty themselves into the said St. Lawrence from those which fall into the sea" and along those "highlands" to the Bay of Chaleurs. It is important to note this line with care, as it was not merely the southern boundary of Quebec from 1763 to 1774: it was the northern limit of the English colonies when they became independent states (§ 164).

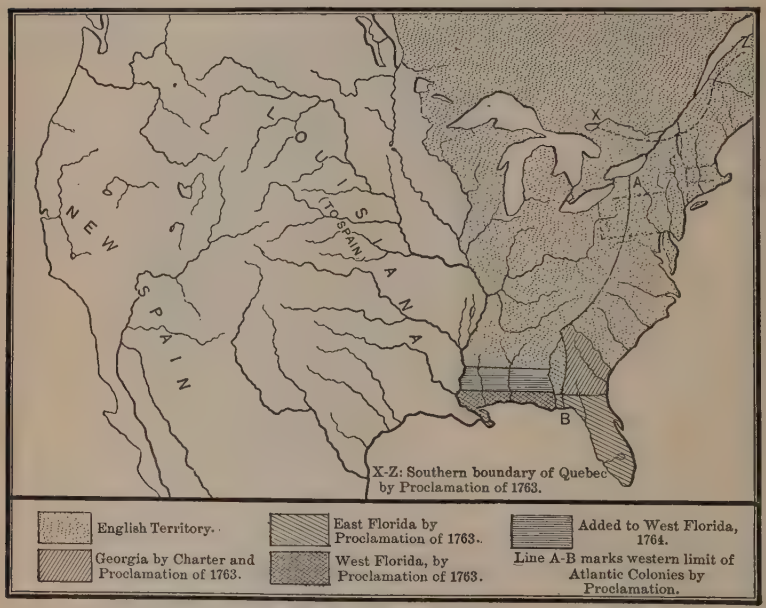
Royal Proclamation of 1763. *American History Leaflets*, No. 5, p. 10; Hinsdale's *Old Northwest*, ch. viii; Quebec, 1763.

The northern boundary of the Floridas is also interesting, as it was adopted in the treaty of 1783 to describe the southern boundary of the United States (§ 164). Leaving the Mississippi in latitude thirty-one, the line followed that parallel to the Chattahoochee River, thence down that stream to its junction with the Flint; from this point it ran in a straight line to the source of the St. Mary's and down that stream to the Atlantic Ocean. The Floridas were separated into two provinces by the Chattahoochee, or Appalachicola, as it was called after its confluence with the Flint. The boundary of West Florida was pushed farther north in the commissions issued to the governors of that province, to include within its limits several settlements on the Mississippi; this line was the parallel (32° 30′) of the confluence of the Yazoo and Mississippi from the latter river to the Chattahoochee. The territory between East Florida and Georgia, or between the St. Mary's and the Altamaha,

The Floridas, 1763–83.

Georgia enlarged.

which up to this time had been regarded as a portion of South Carolina, was now added to Georgia. Between the Floridas and Quebec, as defined in the proclamation, there stretched a vast region inhabited by Indians, with a few French settlements north of the Ohio; this was for the



The Proclamation of 1763

Atlantic colonies confined to seaboard.

present reserved to the Indians by a provision of the proclamation which forbade the governors of the colonies on the seaboard to grant lands "west of the sources of rivers which flow into the Atlantic from the west and northwest." This territory had already been granted by the king to companies or individuals: the grantees of Virginia, Carolina, Georgia, Pennsylvania, Connecticut, and Massachusetts. The rights under the first three of the above grants had returned to the crown. The king could do what he pleased with as much of this region as had been included

in those grants, but a royal proclamation could not annul rights derived by charter, and the claims of Pennsylvania, Connecticut, and Massachusetts remained as good as they had ever been.

107. The Albany Congress, 1754. — The long series of wars which came to an end in 1763 had tended to bring the several English colonies together. Frequently, it had been necessary to take combined action against the French and their Indian allies, and conferences had been held from time to time from 1684 onwards. The most famous of these meetings was the one held at Albany in 1754, and known as the Albany Congress; but the word "congress," as now used in America, is inapplicable: it was rather a conference or convention, in our political language. The meeting was held by direction of the British Board of Trade and Plantations; its object was the purchase and settlement of lands then in the possession of the natives, and it was also designed to provide some scheme for united action in the event of another war with the French. The congress adopted a Plan of Union, always known as the Albany Plan, which was the work mainly of Benjamin Franklin, one of the delegates from Pennsylvania. Many schemes of a similar nature had been proposed before this, but none had received an official sanction such as the Albany Congress may be said to have given to this one. Most of the earlier projects had contemplated the grouping of the colonies into two or three divisions; the Albany Plan provided for a federation of all the colonies for certain specified objects. The functions of the federal body were mainly advisory, as were those of the commissioners of the New England Confederation. These duties were to be performed by a President-General appointed by the crown, and a Grand Council elected by the popular branches of the several colonial assemblies. The weak point in the New England Confederation had been the equal vote of the several colonies, regardless of their size or importance (p. 80); this defect was now remedied by apportioning the

Intercolonial Congress of 1754. Fiske's *Revolution*, I, 7–10; *Frothingham's *Republic*, ch. iv.

The "Albany Plan of Union" (1754). *American History Leaflets*, No. 14; *Old South Leaflets*, Gen. Ser., No. 9.

members of the Grand Council among the colonies according to "the proportion of money arising out of each colony to the general treasury." The plan proved distasteful to all parties whose consent was asked to it: the English government dreaded it, as stimulating the democratic tendencies of the colonists; the colonial assemblies unanimously rejected it, because it seemed to them to increase the power of the crown.

Results of Albany Congress.

The Albany Congress was an important step in the process of colonial union, because many of the leading men from the different colonies met together; their discussions increased the sense of the common interest, and aided to diminish the prejudices which the people of many provinces felt toward their fellow-subjects in other colonies. The French wars, by bringing soldiers together from different parts of the continent, also operated in the same direction. Moreover, during the last French and Indian war, Colonel Washington of Virginia journeyed northward to the army headquarters at Boston, to lay before the commander in chief the complaints of colonial officers in the matter of relative rank in the British forces. It was in this way that his striking figure and dignified presence became familiar to the people of the Middle Colonies and of New England.

Numbers.

108. Statistics of Population, 1760. — In 1760 the English-American colonists numbered about one million six hundred thousand souls, including negroes, both slave and free. About one half of this population lived on either side of Mason and Dixon's line (p. 99). There were nearly four hundred thousand negro slaves in the English colonies, three fourths of whom lived in the South. In this way it happened that the white population of the colonies south of Pennsylvania was considerably less than that of the North. Mason and Dixon's line even then divided the country into two well-marked sections: north of it varied industry and free labor prevailed; south of it the cultivation of one or two staples by forced labor was the rule.

109. Negro Slavery. — Slavery existed in all the colonies, but it was fast dying out in the North, although there does not appear, however, to have been any widespread sentiment against it in that section. The northern slave traders, for instance, were among the most substantial men of their time and place. A few persons had written against it, notably Samuel Sewall, in *The Selling of Joseph*. In New York and New Jersey slavery existed to a limited extent. The slaves were treated in a most lenient manner in both these colonies, except in two instances, when the fear of negro uprisings produced a panic; many were then unjustly hanged or branded, and one was broken on the wheel.

Slavery in the Northern colonies. Stedman and Hutchinson, II, 189; *ibid.* III, 86.

New York Negro Plot. *Chandler's *Criminal Trials*, I, 213–254.

In Pennsylvania there was a more widespread public sentiment against the institution of slavery than in any other colony, as the Quakers found it difficult to reconcile the ownership of human beings with the principles of their religion. Slavery also was unsuited to the agriculture of that province. In Delaware, on the other hand, it flourished and endured until the Civil War.

South of Pennsylvania the case was different. Slaves formed about thirty per cent of the population of Maryland, about forty per cent of that of Virginia, and about sixty per cent of that of South Carolina. Only recently it had been legally permitted in Georgia, but there it was now making rapid advances. In North Carolina slaves formed a smaller proportion of the population than in either of the colonies on its borders: in one of the western counties of that province, it has been said that no slave was ever owned. Slavery was less suited to the industries of North Carolina than it was to those of South Carolina, and the settlers of the western counties resembled the small farmers of the North in their prejudices and sentiments.

In Maryland and Virginia the slaves, as a rule, were well treated. The cultivation of tobacco was comparatively easy, the slaves worked under the eye of the owner, they also labored beside the white servants, who formed a large proportion of the working element in the colonies on Chesa-

Slavery in Maryland and Virginia. Hart's *Contemporaries*, I, No. 87.

peake Bay. The slave code, in so far as it regulated meetings, the possession of arms, and running away, was severe, even authorizing the dismemberment of a slave found abroad at night without a license. In practice, however, the treatment of slaves was humane in both these provinces. In South Carolina the negroes outnumbered the whites. The malarial climate of the rice swamps induced the planters to seek the sea breezes of Charleston during a large part of the year, while the negroes on the rice plantations were left to the oversight of a white superintendent aided by black slave drivers. The conditions under which rice was cultivated were harmful to the negroes also: the labor was severe, and the slaves became rapidly worn out. It was profitable, therefore, to work them to the uttermost during their season of bodily vigor. Constant supplies of new slaves were necessary, and these were procured direct from Africa in northern and in English slave ships. These newcomers were less obedient than slaves born and bred in America, as most of those in Maryland and Virginia were. The severity of the labor and the wildness of the negroes led to constant attempts on their part to escape across the Savannah River to the wilderness of Georgia, and eventually to Spanish Florida. This propensity to run away was met by laws offering rewards for the arrest or destruction of the fugitive: fifty pounds was given to the captor of a runaway, if brought back alive, — ten pounds only if the scalp was returned; these rewards were for negroes found south of the Savannah River; the ordinary amount paid for a negro's scalp was one pound. The laws were necessarily more odious in South Carolina than in Virginia; but the main difference lay not so much in dissimilarity of laws as in the actual treatment of the slaves, which could be much milder in Virginia than in South Carolina.

In South Carolina.

White servants.

110. **White Servitude.** — White persons, bound to service for a term of years, formed an important element in many colonies, especially in Pennsylvania, Maryland, and Virginia. Most of those employed in Pennsylvania were Redemptioners,

who bound themselves to serve for a limited time, generally four years, to pay their expenses from their old home to the New World. They were usually of a good class of immigrants, and after the end of their time of service became farmers and were merged in the white population of the colony.

Convicts in Virginia and Maryland.

In the provinces on Chesapeake Bay, however, the conditions of white servitude were not so favorable. There many of the white servants were convicts transported from England and bound out to service for long terms of years. This traffic was carried on by authority of acts of Parliament passed in the eighteenth century, which permitted a convict to ask in open court to have his sentence commuted, in the case of the death penalty, to fourteen years' service, while whipping and branding might be commuted by seven years' service; in either case, return to England before expiration of term of service was punishable with death. The people of Virginia and Maryland strongly objected to this inroad of criminals, and sought to limit the evil by passing laws restricting their importation. These laws, however, as well as those limiting the slave trade, were either annulled or vetoed by the king, as being contrary to acts of Parliament.

Religion: The Established Church.

111. Religion. — The religious life of the inhabitants of the several colonies was largely determined by the conditions of settlement. These have already been mentioned; but other considerations had profoundly affected religion, and it will be well to examine briefly the actual state of affairs in 1760. The Church of England was completely established by law in only one colony, — Maryland. No matter what their religious preferences were, all taxpayers in that province were compelled to contribute to the support of the minister of the Established Church. In the Carolinas the church was recognized by law as the state church, but there was complete toleration for all Christians in those colonies. The church was also established in Virginia, but its management was largely in the hands of the planters. The Church of England was weak in the Northern colonies, except in New York, where it was steadily gaining strength.

New England Congregationalists. *Stedman and Hutchinson, II, 373–411.

In New England, save in Rhode Island, the Congregational Church was cherished by colonial laws, but, on the other hand, the actual management of religion was in the hands of the local religious authorities. The New England clergy, of whom Jonathan Edwards is the best example, formed a caste almost as completely as did the Virginia planters. In Pennsylvania and Rhode Island religion was absolutely free. In other colonies there was a species of toleration for Protestants, but, except in Pennsylvania, the Roman Catholics were everywhere debarred from civil rights or subjected to severe penalties.

As the century advanced, the Protestant dissenters became more and more numerous in the Old Dominion. Alarmed at this turn of affairs, the rulers of the colony made stringent laws against them, but in 1760 probably nearly one half of the white population of Virginia was outside of the Established Church. The weakness of the church was due in part to the poor character of many of its ministers. In these circumstances it seemed very desirable that an American bishop should be appointed who could exercise much more effective control than the far-off Bishop of London. As often as this plan was proposed, it was defeated. The American clergy did not want a bishop near at hand, nor did the laymen, especially in Virginia, desire to give up the control which they exercised over the clergy of the several parishes. The members of the dissenting faiths were filled with alarm: their ancestors had fled from England to avoid the control exercised by bishops and it was of slight use to inform them that an American bishop would have only such civil power as the laws of each colony might give him. They enlisted the sympathies of their fellow-dissenters in England, and no bishop was ever appointed. The Revolution did away with the authority of English law in the United States, and at once all objections to the appointment of bishops were removed (p. 228).

112. Education. — Throughout New England, except in Rhode Island, provision was made for the teaching of read-

ing, writing, and elementary mathematics, and the larger towns generally provided instruction of a sufficiently advanced grade to fit students for the New England colleges. The Dutch had provided educational facilities in connection with their religious establishments, and this latter feature proved to be fatal to them after the English conquest. There does not appear to have been any provision for general public instruction in New York in 1760. In New Jersey and Pennsylvania, the Quakers and the Presbyterians endeavored to educate the young. In Maryland there were a few schools supported by general taxation, but they exerted slight influence. The Virginians from time to time had endeavored to relieve their colony of the reproach contained in the well-known boast of the old royalist governor, Sir William Berkeley, that he "thanked God there were no free schools" in the province. Their efforts do not seem to have led to tangible results, for the whole life of Virginia was opposed to general education. The children of well to do parents received instruction at the hands of a private tutor or of the parish clergyman; those who could not afford to pay for private tuition for their children taught them as well as they could. William and Mary College was not unlike an English public school of that time, and it furnished the Virginians of the richer class with a good education. Many Virginians were good classical scholars, and many more had studied deeply the constitutional history of England. There was not a public educational institution of any kind south of Virginia; but the Carolina planters were well educated, having attended colleges in the north or institutions of learning in England.

The colleges.

There were then some half dozen colleges or universities in the colonies: Harvard, Yale, King's (Columbia), New Jersey (Princeton), Pennsylvania, and William and Mary. Their scheme of education was largely framed for the training of clergymen of one faith or another. None of them was much above the grade of a high school of the present day, but they performed a useful service in keep-

ing alive a love of learning. Only one of them can be regarded as a place of scientific education; this was the University of Pennsylvania, which had been founded by Franklin. Organized on a liberal basis, it grew rapidly, and in five years after its beginning had four hundred students on its rolls.

Law and medicine.

Medical education was beginning to attract attention, but the only profession which vied with that of the clergy was the law. Its rise belongs almost entirely to the eighteenth century, and it was the generation which brought about the separation from England that gave the legal profession its high standing. It is surprising to note how many men who were prominent in this great movement were lawyers: James Otis, John Adams, Stephen Hopkins, Roger Sherman, John Jay, Thomas McKean, Patrick Henry, Thomas Jefferson, and the Rutledges, to mention no others. They gave to the period of the Revolution a legal aspect which has ever since been one of the distinguishing characteristics of American politics.

SUGGESTIVE QUESTIONS AND TOPICS

§§ 78–83. New England, 1660–64

a. Give a brief sketch of English history, 1660–1760.

b. Place in a note-book, as a heading, "England's Commercial Policy," and enter under it all fitting information as you proceed.

c. Compare the commercial policy of England at different periods with that of the United States to-day.

d. Compare the policy of Massachusetts as to the Quakers with that of the United States as to immigrants at the present time.

§§ 86–90. Pennsylvania

a. Place in note-book, as heading, "Mason and Dixon's line," and enter all fitting information as you proceed.

b. Compare the government of Pennsylvania under the charter of 1701 with that of Massachusetts, of Connecticut, of Virginia, and of Carolina at the same time.

§§ 91–92. The Carolinas

a. Compare the settlement of Charleston with that of Byzantium.

b. Compare "colonial life" in Charleston, in Boston, in Philadelphia, in Williamsburg, and in New York.

§§ 93–96. Virginia

a. Justify from the text the byword, "ungrateful as a Stuart."

b. Compare the treatment and the actions of the Virginians and of the Massachusetts men in the years 1660–76. Which group of colonists showed the greater political sagacity? Prove your statement.

c. Find out all you can about the early years of Harvard College, of Yale College, and of William and Mary College.

§§ 97–100, 102, 103. Constitutional Struggles

a. Show by recital of events that an identical struggle was going on in England and in the colonies. What was the nature of this struggle? Describe the government established in Massachusetts under Andros.

b. Contrast the Dominion of New England with the New England Confederation and the plan proposed by the Albany Congress.

§§ 99–108. The Colonies, 1688–1760

a. State carefully the effect of the glorious Revolution upon each colony separately, and its general influence upon the fortunes of English America.

b. Compare the steady growth in the power of representative legislative bodies in the colonies and in England from 1688–1760, and give the causes in each case.

c. In the quarrels with the royal governors, what important principle was at stake? What effect upon these quarrels would the appointment of the treasurer by the Assembly have?

§ 100. Georgia

a. Compare Oglethorpe's colony of Georgia with Penn's colony of Pennsylvania.

b. What matter in this section should be entered under "Negro Slavery"?

§§ 103–107. Wars

a. Give a brief sketch of the reigns of Louis XIV and Louis XV.

b. Place in note-book, as heading, "Important Treaties," noting in each case: (1) date, (2) the concluding powers, (3) why important — note especially boundary provisions, (4) how long observed, (5) how conditions to-day are affected by it.

c. Review history of Acadia; compare Acadians as described by Parkman and by Longfellow.

d. Consider the wars mentioned in these sections, so far as they related to America, under the following heads: (1) causes; (2) occasion; (3) strength of the combatants; (4) preliminaries to actual struggle; (5) military operations — briefly; (6) results of war, (*a*) political, especially geographical, representing them in colors upon Outline Map, (*b*) moral; (7) importance in history of the world.

e. In what way did this war contribute to bring about the American Revolution?

§ 107. The Albany Congress

a. What was the greatest weakness in the Albany plan?

b. Why was it rejected? Give your reasons in full.

§§ 108–112. General View of Colonial Conditions

a. What matter in § 110 should be entered in note-book under "Negro Slavery"? Why?

b. What matter in these sections should be entered under "Power of Congress"?

c. Show the preparation in colonial times for the later separation of Church and State.

d. Seek the educational statistics of the United States and describe the educational condition of each region mentioned in § 112. Do the same relative differences exist in both epochs? Give your reasons.

e. As you advance, prove the truth of the statement on p. 126, "a legal aspect . . . American politics." Place it as heading in note-book. Is it true to-day?

Historical Geography

a. Upon two Outline Maps represent in colors the different European possessions in North America (*a*) before the Peace of Paris and (*b*) after that settlement.

b. Represent in colors upon an Outline Map the English king's division of his American possessions in 1763.

c. Represent in colors upon an Outline Map the territory between the Alleghanies and the Mississippi as divided between the king, Pennsylvania, Connecticut, and Massachusetts in 1763.

d. Make the necessary changes in your maps on Territorial History and in the map of your own state.

General Questions

a. Give a bird's-eye view of the English colonies in 1760, noting: (1) geographical extent of each colony; (2) distribution of popula-

tion; (3) slaves and servants; (4) institutions (*a*) derived from England, (*b*) adopted from other sources or invented.

b. Trace colonial institutions towards division of powers, limited power of legislative bodies. Contrast with contemporary English development towards centralization of power, supremacy of Parliament.

c. Make digest of chapter in recitation hour.

d. Review all subjects in note-book and prepare each as a continuous recitation.

e. Let written recitations be demanded on any points touched in the questions.

Topics for Investigation by Individual Students

(See note under this head on p. 48.)

a. A summary of the Navigation Ordinances and Acts (90, last one of second group).

b. The trials of the Quakers (91, second group).

c. Bacon's Rebellion (104, last two of first group).

d. The causes of King Philip's War (104, last one of third group) and top of 105.

e. Was Leisler a rebel (107, second group)?

f. La Salle's Mississippi exploration (114, second group).

g. Plans of Union, 1643–1754 (119, second group).

CHAPTER IV

INTERCOLONIAL UNION, 1760–1774

Books for Consultation

General Readings. — Fiske's *War of Independence*, 39–86; Higginson's *Larger History*, 223–249; Winsor's *America*, VI, 1–62; Lodge's *English Colonies*, 476–494. On this period in England, Gardiner's *Student's History*, 765–782, or Higginson and Channing's *English History for Americans*.

Special Accounts. — Sloane's *French War and the Revolution*, 116–191; Greene's *Historical View;* Frothingham's *Rise of the Republic;* Fiske's *American Revolution;* *Lecky's *England*, III, ch. xii; *Bancroft's *United States;* *Hildreth's *United States;* Roosevelt's *Winning of the West;* Larned's *History for Ready Reference*, under United States and the several states.

Sources. — Local Records and Histories, *Guide*, § 133; Biographies, *Guide*, § 135, especially Tudor's *Otis;* Hutchinson's *Massachusetts;* Henry's *Patrick Henry;* Niles's *Principles and Acts;* *Force's *American Archives;* Hart's *Contemporaries; American History Leaflets*.

Maps. — Hart's *Epoch Maps*, No. 5; Mac Coun's *Historical Geography;* Winsor's *America*, VI.

Bibliography. — Channing and Hart, *Guide to American History*, §§ 56 a and 56 b (General Readings), §§ 133–136 (Topics and References).

Illustrative Material. — Lossing's *Field-Book of the Revolution;* Adams's *Three Episodes;* Parton's *Jefferson* and *Franklin;* Schouler's *Jefferson* (M.A.); Seeley's *Expansion of England;* *Merivale's *Colonization;* Tyler's *American Literature;* *Baird's *Huguenot Emigration;* Ann Maury's *Huguenot Family;* John Adams's *Diary;* Winsor's *Memorial History of Boston;* Wilson's *Memorial History of New York;* Egle's *Pennsylvania;* Scharf's *Philadelphia* and *Maryland;* Campbell's *Virginia;* Jones's *Georgia;* Weeden's *Economic and Social History of New England;* Mahon's *England*, ch. xliii; Hosmer's *Samuel Adams* (S.S.); *Ford's *True George Washington*, and his *Many-sided Franklin;* Franklin's *Autobiography;* Tyler's *Patrick*

Henry (S. S.); Hosmer's *Thomas Hutchinson;* Mrs. Child's *The Rebels;* Cooke's *Virginia* (A. C.); *Youth of Jefferson; Fairfax; Doctor Vandyke;* Hawthorne's *Septimius Felton;* Sedgwick's *The Linwoods;* Bynner's *Agnes Surriage;* Longfellow's *Tales of a Wayside Inn;* Irving's *Life of Washington* (abridged ed.); Parkman's *Conspiracy of Pontiac;* Thompson's *Green Mountain Boys.*

INTERCOLONIAL UNION, 1760–1774

The colonies and Britain before 1760. *Winsor's *America*, VI, 62–68; Fiske's *Revolution*, I, 1–6.

113. Change in the Colonial Policy of Britain. — In the forty years between 1720 and 1760 there had been incessant political strife between the colonists and the representatives of the British government. These disputes had been essentially local and personal,— in regard to such matters as the taxation of proprietaries' lands, the extension of the franchise, the importation of convicts, the raising of troops, the issue of paper money, the organization of banks on insecure foundations, and the establishment of courts of law. Generally the opposition of the colonists had taken the form of a refusal to vote money for salaries or for soldiers until their demands were complied with; but sometimes, as, for example, in the dispute over the taxation of proprietaries' lands in Pennsylvania and the establishment of a religious test for voting in South Carolina, the colonists had carried the matter to England and had won their point; in other cases the home government had interfered and had forbidden the colonists to do what they wished, as in the case of the Massachusetts land-banks. But no serious opposition had been aroused, probably because the colonists felt confidence in the justice of the British government; this feeling was due to the prudent colonial policy of Sir Robert Walpole and his immediate successors. They were mainly interested in securing the safe establishment of the monarchs of the House of Hanover on the throne of England, and had carefully avoided all measures which seemed likely to arouse opposition at home or in the colonies.

In 1760 George III ascended the throne. Born in

George III and his policy. Fiske's *Revolution*, 38–45; *Frothingham's *Republic*, 158–166.

England, he was ambitious to rule well and to regain for the monarchy the power which the kings had once wielded in the state. The execution of this project brought about the fall of the old governing aristocracy and the employment of inferior men who would do their master's bidding. They heedlessly adopted a policy from which Walpole had recoiled. The opposition championed the cause of the colonists, and the re-establishment of the king's power in Britain became inextricably bound up with the maintenance of his authority in the colonies. These considerations will enable the student of the revolutionary epoch to understand more clearly the history of that memorable period. The first conflict, however, arose out of an attempt to enforce the Navigation Acts, and the impulse to this movement was given by William Pitt.

Restrictions on trade and manufactures. Winsor's *America*, VI, 7–10.

114. The Colonial System, 1688–1760. — The principal features of the colonial system before the Revolution of 1688 have been already traced (p. 90). From that time restrictions were gradually increased, and the list of enumerated goods was constantly enlarged. On the other hand, bounties and premiums were provided for the encouragement of the production of commodities for which the colonies were well suited.

Restrictions were also laid on colonial manufactures which were likely to come into competition with English interests. The earliest of these laws was passed in 1699; it prohibited the exportation of wool or any manufacture of wool from any American colony to any other colony, to Great Britain, or to any foreign country. Subsequently, an attempt was made to limit the iron industry of the colonies to the production of crude iron alone; all the later stages of its manufacture were to be performed in Britain. Adam Smith, England's greatest economist, wrote of this part of the colonial system, that it was "a manifest violation of the most sacred rights of mankind." Regarding the system as a whole, it is impossible to say that it was to the disadvantage of the colonists: it is true that the

Virginians were forbidden to ship their tobacco to a foreign port, but they were given a monopoly of the British tobacco markets; the New England shipowners could not legally engage in foreign trade, but they enjoyed a share in the monopoly of the carrying trade of the British Empire; the South Carolinians could not ship their rice to European ports north of Cape Finisterre, but they were paid a large bounty on all the rice they exported.

The act which might have inflicted hardship was the "Sugar Act" of 1733. This law provided for the collection of high duties on foreign sugar, molasses, or rum imported into any colonial port on the continent of North America. Had this been carried out, it would have brought disaster to New England, as the African trade of that section depended on a supply of cheap molasses, which was made into rum and then exchanged on the Guinea coast for slaves, gold, and palm oil. The Sugar Act, 1733.

115. Difficulties in Enforcing the Laws. — It proved to be well-nigh impossible to enforce these laws. The New Englanders, who were mainly concerned in their evasion, were hostile to them, and the royal customs officials in the colonies found that the easiest road to the acquisition of wealth lay in combining with the importers: collectors of customs in the English West Indies granted fraudulent clearances, which were accepted by the collectors of customs in the New England ports, and merchants were permitted to discharge vessels laden with dutiable goods in the absence of the customs officials. Opposition of the New Englanders.

During the last war with France, northern merchants engaged in an unpatriotic and illegal trade with the French, supplying their posts with provisions. Pitt ordered the customs officials to do their duty, and, by a display of zeal, they endeavored to atone for their former laxity. It was found to be most difficult to carry out Pitt's instructions: it was not easy to seize goods on which no duty had been paid; it was practically impossible to secure a conviction from a colonial jury.

Search warrants.

The ordinary method to secure the seizure of suspected goods was to issue a search warrant. This warrant empowered the person named in it to go to a designated place and seize certain goods therein deposited, which on the information of some person named in the warrant were believed to be smuggled. The document was afterwards deposited in the records of the court, with a statement of what had been done in accordance with its provisions. In this way the name of the informer became known; and in a community where the general sentiment was one of fierce opposition to the enforcement of these laws, he was sure to be dealt with most severely, and other persons who might be willing to inform were likely to be frightened into silence. The owners of suspected goods also received early notice of an intended seizure, and removed them to another warehouse or across the street. The customs officials were powerless, as the warrant authorized them to seize only particular goods in a stated place.

Writs of assistance. Winsor's *America*, VI, 11-15.

116. Writs of Assistance, 1761. — To avoid these complications, the customs officers armed themselves with a species of warrant called a "writ of assistance," that authorized them to seize any goods which they suspected to be smuggled, wherever found. This power might easily be misused for purposes of personal revenge and undoubtedly was so abused. The first warrants were issued by Governor Shirley of Massachusetts, who had no authority to grant them. Accordingly, in 1761, the customs officers applied to the Superior Court for new warrants. The king's advocate in the province at that time was James Otis, an ardent, able, and patriotic man. He resigned his office, and appeared for the merchants of Boston in opposition to the issuance of the writs. He made a speech which had great effect upon the popular mind, and is often and rightly regarded as the first act in the American Revolution. Unfortunately, it has been preserved only in the form of fragmentary notes taken by John Adams, then a student of law at Boston.

The matter really turned on narrow technical points which

need not be mentioned here. Otis based his argument on the abstract grounds of the rights of the colonists as Englishmen. The use of writs of assistance, he argued, was an act of tyranny similar to the abuse of power which had "cost one king of England his head, another his throne." It was not to the point that these writs were authorized by an act of Parliament, because Parliament could not legalize tyranny; such an act would be against the constitution, and consequently void. This argument was in line with the teaching of Coke and of the earlier law writers, but since their time Parliament had become the supreme power in the state. Otis's argument, however weak in point of law, was in harmony with the ideas then prevalent in America. Some months later, the writs were granted by the court, but were seldom, if ever, used. In 1767 their issue was declared to be legal by a special act of Parliament. The only remedy in the hands of the colonists was resistance by armed force, and for that few colonists as yet were prepared.

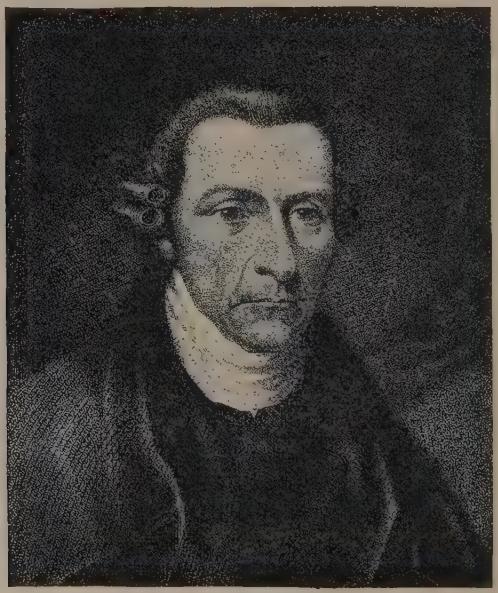
Otis's speech. *American History Leaflets*, No. 33.

James Otis

117. Otis's Rights of the Colonies, 1764. — A few years later Otis embodied his ideas of the rights of the colonists in two essays, entitled: *A Vindication of the House of Representatives* and *The Rights of the Colonies Asserted and Proved.* His arguments in these papers are mainly a mere restatement of the ground assumed by Locke in his *Essay on Government.* Otis asserted that "God made all men naturally equal," and that government was instituted for the benefit of the governed: it followed that if a government were harmful to the people, it should be opposed and destroyed; the colonists were on a footing of com-

Otis's essays on government. *Frothingham's *Republic*, 168–170.

plete equality with the subjects of the king living in Great Britain. In conclusion, however, Otis admitted the supremacy of the British Parliament, and thus denied the logical conclusion of his argument. Patrick Henry, of Virginia, had no such scruples, and in his speech on the Parson's Cause he stated the theory of colonial rights in its complete form.



Patrick Henry

The Parson's Cause, 1763. Fiske's *Revolution*, I, 18; Hart's *Contemporaries*, II, No. 37.

118. The Parson's Cause, 1763. — This celebrated case arose out of the exercise by the king of the power to veto acts of the Virginia Assembly. The salaries of the clergymen of that province were estimated and paid in tobacco, which was the ordinary currency of the Old Dominion. The price of tobacco varied greatly from year to year, with the result that payments which were agreed upon in years of plenty, when tobacco was cheap, were made with

difficulty in years of scarcity, when it was high in price. To avoid the hardships wrought by this varying medium of exchange, the Virginia legislature from time to time had passed laws providing that all debts — including sums owing to clergymen — might be satisfied by the payment of money representing the average price of tobacco. There had been several acts permitting this arrangement, which, it must be understood, equally affected all classes. The clergy felt aggrieved, however, and appealed to the English government. On their representations the king annulled a law passed in 1758, when tobacco was very high, to the effect that debts estimated in tobacco might be satisfied by a money payment at so many pence per pound, the rate representing the average price of that commodity for the preceding years. The dispute was further complicated by the demand of the British government that no law repealing or modifying a law then in force should be passed without a clause suspending its operation until the king's pleasure were known. This requirement undoubtedly worked great hardship, as the British government acted very slowly in colonial matters; oftentimes the evil which a law was designed to remedy would produce its ill effects before the consent of the home authorities could be obtained.

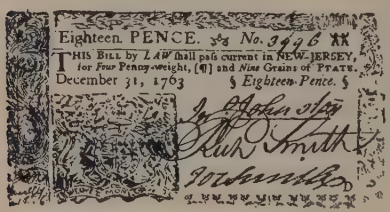
Action of Virginians.

Many church authorities did not heed the king's veto of the act of 1758, and paid their ministers in money according to the provisions of the annulled law. The clergymen brought the matter before the courts, and the case of one of their number, Maury by name, was selected as a test case. The court decided that the action of the parish authorities was illegal, and that Maury could recover; the only question about which there was any further dispute, was in regard to the amount to be recovered. The case had reached this point, and everything indicated the triumph of the clergymen, when the parish authorities employed Patrick Henry to address the jury. Henry was a most industrious young lawyer; he had received a good educa-

tion, was well read, and had been allowed to practice law because of his knowledge of English legal history.

Henry's speech. Tyler's *Patrick Henry* (S. S.), ch. iv.

Putting aside the legalities of the case, Henry at once entered into a discussion of theories of government and their application to the matter in hand. Government, he declared, was a conditional compact between the king, stipulating protection on the one hand, and the people, stipulating obedience and support on the other. The act in question was passed for the good of the people of Virginia, and its veto by the king was a violation of the conditional compact and an instance of misrule and neglect, which made it necessary for the people of Virginia to provide for their own safety. The king had "degenerated into a tyrant and forfeited all right to his subjects' obedience." Nevertheless, under the ruling of the court, the jury must award damages to the parson, but they would satisfy the law by the smallest possible award. They assessed the damages at one penny. In this case, and in that of writs of assistance, Henry and Otis merely uttered what many men thought; they had said nothing new, but they had struck a heavy blow at the continuance of a sentiment of loyalty. A heavier blow to that sentiment was inflicted by the British Parliament in the passage of the Stamp Act.


Eighteen. PENCE. No. 3496
THIS BILL by LAW shall pass current in NEW-JERSEY,
for Four Penny-weight, [4] and Nine Grains of PLATE.
December 31, 1763 § Eighteen-Pence. §

New Jersey Currency

Pontiac's Rebellion. Winsor's *America*, VI, 688–701.

119. Grenville's Policy.— The French and Indian War ended with the capture of Montreal in 1760, although the Treaty of Paris was not signed until 1763. But the Indians living south of the Great Lakes found it difficult to believe that their friends, the French, had really been beaten. They rose, and under the leadership of Pontiac, one of the ablest of their race, besieged the English in their fort at Detroit.

The English colonists, now that the French were no longer an object of fear, showed little enthusiasm in this conflict with natives far removed from their borders. They practically refused to aid the government with soldiers or with money. This Indian rebellion, and the maintenance of English authority in Canada, demanded the presence of a large force of regular soldiers in the northern colonies and in Canada. The British government determined to assess a portion of the expenditure incurred in their maintenance on the colonists. William Pitt was no longer in office. Undoubtedly he would have taken a statesmanlike view of the situation and have recognized the inexpediency of forcing contributions from the colonists.

Apathy of the colonists.

George Grenville, Pitt's brother-in-law, was now at the head of the government. To him the law was the law, and should be enforced whenever and wherever it was broken. He saw that the colonists refused to obey the Navigation Acts and the trade laws, and that they also declined to bear their part in carrying out measures which his military advisers declared to be necessary for the safety of the empire. He lowered the duties on sugar and molasses, and then proceeded to enforce the modified laws with all the resources at his command, even using the naval vessels as revenue cutters. These measures seriously affected the commercial interests of New England and account for much of the hatred of the colonists of that section toward the British government. Grenville also decided to raise a revenue from the colonies and aroused the resentment of all the colonists from the Penobscot to the Altamaha.

Grenville's policy. *Winsor's *America*, VI, 15–20, 23–28.

120. Passage of the Stamp Act, 1765. — In March, 1764, Grenville stated in the House of Commons that it might be thought necessary for the colonists to contribute toward the support of the troops stationed amongst them for their protection. He moved a resolution to this effect, which was passed without debate or opposition. He deferred bringing in a bill based on this resolution, in the expectation that the colonial assemblies might propose some other

Stamp Act proposed, 1764. Franklin in Stedman and Hutchinson, III, 46.

method of taxation by Parliament, or, perhaps, might vote the necessary funds. Grenville did not believe that the colonists would protest against being taxed by Parliament; but this was precisely what they did. Assembly after assembly petitioned in vigorous language against the proposed measure, but these petitions were not even received by the House of Commons. The act levying stamp duties was brought in and passed without serious opposition, and received the king's assent in March, 1765.

Colonial protests.

Analysis of the act.

121. The Stamp Act. — The act in itself was on the same line as a law in force in Britain at that time, and in principle was not unlike a stamp act passed by the Massachusetts legislature in 1755: legal documents and official papers were to be written on stamped paper, and a stamp was to be placed on several articles, such as printed books, newspapers, and playing cards; the ordinary business papers and receipts for money paid were not included, and the measure was less severe in its operation than the law at present in force in Great Britain. It was not intended to draw the money thus raised to England, but to expend it in America in the purchase of food and other supplies for the soldiers. The evil feature of the act as a law was that persons accused of offenses under it might not enjoy the benefits of trial by jury, at the discretion of the prosecuting officer. The Stamp Act was opposed in America, not on its merits as a piece of legislation, but on the ground that "no taxation without representation" was one of the leading maxims of the Constitution of the British Empire and one of the most important rights of the American colonists as Englishmen. It will be well to consider this matter in detail, as the difference in constitutional ideas which appeared at this time was the fundamental cause of the splitting apart of the British nation and of the founding of the Republic of the United States.

"No taxation without representation."

122. Representative Institutions. — The phrase "no taxation without representation" was familiar to all sections of the British people, but it conveyed very different ideas to

those living in Great Britain and to their kinsfolk in the colonies. The British Parliament was composed of two houses, — the Peers, comprising hereditary nobles and the bishops, and the House of Commons, which was held to represent the people. The members of the latter body were elected in accordance with a system which was the result of centuries of constitutional development: the apportionment of members was based on the counties and the boroughs; although they differed enormously in population and extent, each of these divisions sent two members to Parliament. No attempt had been made to redress the inequalities of this system except during the Puritan supremacy, and the changes the Puritans had made had been discarded at the Restoration. Furthermore, only four new members had been added to the Commons since the accession of James I. Some of the boroughs contained no inhabitants: in one of these, Old Sarum, it was possible in dry seasons to trace the foundations of old buildings by the color of the grass; in another, Midhurst, the sites of old allotments were marked by stone posts; while one borough "had sunk beneath the waters of the North Sea." These all returned members to the House of Commons; indeed, William Pitt entered political life as "Member for Old Sarum." On the other hand, great centers of trade and human activity returned no members at all.

Representation in the colonies.

In the colonies, the case was radically different. Representation was everywhere apportioned on a territorial basis, which was being constantly changed to suit the altered conditions of the several parts of each colony. As new towns or counties were formed, either by the growth of settlements already made or by the colonization of new regions, the inhabitants of these new divisions sent representatives to the colonial legislatures. This right was regarded as a most valuable one in the colonies. When the English government directed the governor of Virginia to refuse his assent to bills erecting new counties unless the people of the new division would forego their right of representation,

it was resented as an act of tyranny. It was universally felt that all sections of each colony and all bodies of colonists should be represented in the assembly.

The franchise in England.

In the matter of the franchise there was an equally wide difference of opinion. In Great Britain the county franchise was confined to those who owned land, and in that country it must be remembered the land was owned by a comparatively small number of persons. The borough franchise depended for the most part on the possession of some peculiar privilege. In Midhurst, for instance, the owner of the plots of ground marked by the stone posts, above mentioned, alone enjoyed the franchise; in other places, those persons who had the right to cook their food at a common fire had the right to vote; and a man ordinarily possessed as many votes as he owned rights. The result of this extraordinary condition of things was that a comparatively small number of persons, mostly landowners and members of the House of Lords, returned a majority of the members of the House of Commons.

In the colonies.

In the colonies, on the other hand, the franchise was regulated by general rules and was usually given to all free adult white men who possessed a moderate amount of property. In the southern colonies, the suffrage was usually restricted to landowners; but it was easy to acquire land in those colonies, and the qualification, although it resembled the English county franchise in form, had no resemblance to it in fact.

Other differences.

In Great Britain the counties and boroughs might send to Parliament any one whom the possessors of the franchise preferred, no matter where he lived, and a man possessing the necessary voting qualifications could vote in as many places as he possessed those rights. In the colonies, residence was ordinarily required for both the voter and the representative. It was felt that the latter really represented the wishes and interests of those who had taken a part in his election. To the colonist, therefore, the phrase "no taxation without representation" meant that

no tax could be levied except by vote of a legislative body in which a person known to the voter, and in whose election he had taken part, had a seat; but to an Englishman the phrase meant simply "no taxation except by vote of the House of Commons."

Virtual representation.

123. English Theory of Representation. — The English idea of representative government signified representation of all classes of the community and not at all representation by population. The great mass of Englishmen belonging to any particular class had no vote for a member of the House of Commons, but other Englishmen of the same class had a vote. It was held, therefore, that all the members of that class were virtually represented. It was easy to extend the theory and to argue that the colonists were also represented, inasmuch as merchants interested in colonial trade were represented in the House of Commons. The English idea of the matter was admirably summed up by Lord Mansfield, then Chief Justice of England, in the course of the debates in the House of Lords on the repeal of the Stamp Act. He said: "There can be no doubt but that the inhabitants of the colonies are as much represented in Parliament as the greatest part of the people of England are. . . . A member of Parliament chosen for any borough represents not only the constituents and inhabitants of that particular place, but he represents the city of London, and all the commons of the land, and the inhabitants of all the colonies and dominions of Great Britain." Writers like Jefferson contended on the other hand, that however true this might be as to Englishmen, it had no application to the colonists, who, unlike the English people, could exert no pressure, either physical or moral, upon the actual electors and the chosen members.

Mansfield's speech. Adams's *British Orations*, I, 150.

Cause of the difference in political ideas.

This wide departure between English and American theories of government can be traced back directly to the middle of the seventeenth century. The Puritans, in the time of their power, reformed the apportionment and the franchise on modern lines. At the time of the Restora-

tion these changes were distasteful to the majority of Englishmen and they were accordingly discarded, and the old system brought back. The colonies developed on the lines laid down in the instructions to Yeardley (1619) and in the development of representative institutions in New England, modified by the democratic tendencies of the Quakers and their associates. In the course of a century the institutions of the two portions of the British Empire had grown so far apart that further continuance of the two sections of Englishmen under one government, except under some form of federation, was no longer possible. The colonists could not understand the theory which held them to be represented in the British Parliament, and they determined to resist the attempt to tax them to the utmost of their ability.

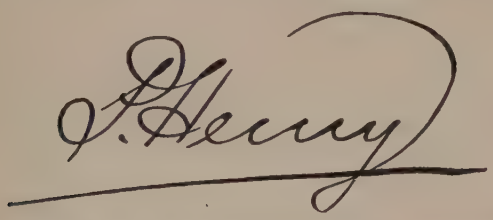
The Stamp Act in America. *Frothingham's *Republic*, 177.

124. Resistance in America. — At the outset, the opinion that there would be no resistance to the act seemed to be justified. The guns of a fort near Philadelphia were spiked; but, except this, there was no demonstration of any importance until the end of May (1765). This quiet was not due to any willingness of the colonists to obey the Stamp Act; it was owing to the fact that there was nothing to oppose. The names of the stamp distributors were not yet known, there were no stamps to destroy, and the enforcement of the act could not be resisted, as it did not go into effect until nearly six months later (in November). It needed only the urging of a bold spirit to bring out the feeling of opposition, which was not dead, but waiting a favorable opportunity to manifest itself.

Henry's speech, 1765. *Frothingham's *Republic*, 178–181; Tyler's *Henry*, ch. v.

Patrick Henry's speech on the Parson's Cause had given him great popularity. He was soon elected to fill a vacancy which had occurred in the House of Burgesses, as the representative branch of the Virginia Assembly was termed. He had never before sat in a legislative body, and waited impatiently for one of the more experienced men to propose a formal protest against the Stamp Act, but the leading men were fully employed in dealing with a matter of financial

irregularity on the part of the Speaker, who was also the Treasurer of the Province. As the session neared its close and none of the leaders proposed to take any action in regard to the Stamp Act, Henry arose and moved a set of resolutions, which he forced on the attention of the reluc-



tant burgesses by a most fiery speech. They were all adopted, but the next day, after Henry's departure, the boldest of them was rescinded. The two most important are here given in full:

Henry's resolutions.

"*Resolved*, That his Majesty's liege people of this his ancient colony have enjoyed the right of being thus governed by their own Assembly in the article of taxes and internal police, and that the same has never been forfeited, or any other way yielded up, but have been constantly recognized by the King and people of Great Britain.

"*Resolved*, Therefore, that the General Assembly of this colony, together with his Majesty or his substitutes, have, in their representative capacity, the only exclusive right and power to lay taxes and imposts upon the inhabitants of this colony; and that every attempt to vest such power in any other person or persons whatever than the General Assembly aforesaid, is illegal, unconstitutional, and unjust, and has a manifest tendency to destroy British as well as American liberty." In other words, the Virginia Assembly denied the power of Parliament to legislate in any way on the internal concerns of the Old Dominion.

The act nullified.

In August, the names of the stamp distributors were published. At once riots occurred in New Hampshire, Massachusetts, Connecticut, New York, Pennsylvania, and Rhode

Island. Before long every stamp distributor was forced to resign. The rioters at Boston were especially violent, for there the resentment of the people was directed against the customs officials as well as against the stamp officers. Hutchinson, the lieutenant governor and chief justice who had given the decision in favor of writs of assistance, was marked out for the vengeance of the excited people. His house was broken open and his valuable books and papers destroyed. As the stamps and the stamped paper arrived from England, they were stored in the forts or on vessels in the harbor. The 1st of November arrived, and not a stamp could be bought. There was not a man in America who had authority to open the packages and sell the stamps, and in the condition of the public mind then prevailing, no one was willing to take the responsibility of forcing them upon the people. On the contrary, the royal officials were obliged to disregard the act; even the courts were compelled to proceed regardless of the law.

Stamp Act Congress, 1765. *Frothingham's *Republic*, 184–189.

125. The Stamp Act Congress, 1765. — Meantime, in June, on the motion of James Otis, the Massachusetts House of Representatives had invited the assemblies of the other colonies to send delegates to a general meeting or congress to be held in October. On the appointed day, October 7, delegates from all the colonies whose assemblies were in session, except that of New Hampshire, met at New York. The majority of the members were moderate men, and the congress did nothing except to formulate a Declaration of Rights and petitions to the king and to the Houses of Parliament. The Declaration of Rights is important, because it is the first utterance of any considerable number of the colonies on the questions which were soon to be of supreme importance. After acknowledging allegiance to the "crown of Great Britain," and declaring themselves to be entitled to the same liberties as "his natural born subjects . . . in Great Britain," they assert that the "people of the colonies are not, and, from their local circumstances, cannot be represented in the House

Declaration of Rights, 1765.

of Commons," and that no taxes "can be constitutionally imposed on them but by their respective legislatures"; they also called attention to the clauses of the Stamp Act above noted, as to the trial of cases arising under it in the admiralty courts, and asserted "that trial by jury is the inherent and invaluable right of every British subject in these colonies."

Although the Stamp Act Congress produced slight direct results, its meeting was of the utmost importance. For three quarters of a century the British government had endeavored to unite the colonies in opposition to the French, and had been unsuccessful. Now the colonies came together of their own accord to defend their rights against the encroachments of king and Parliament.

First Rockingham Ministry, 1766.

126. Repeal of the Stamp Act, 1766. — The Grenville ministry was now no longer in office. Its leading members had deeply offended the king by their want of tact. He seized the first opportunity to dismiss them, but found it impossible to fill their places with men who would do his bidding. In the end, he was obliged to confide the government to the Marquis of Rockingham, a descendant of the Lord Strafford of the seventeenth century. Rockingham was a slow, dull man, but he was honest and possessed a great fortune. The king disliked him as one of the leaders of the Whig aristocracy from whose yoke he was striving to free the monarchy. Rockingham could hope for no help from his royal master, and he had few followers, of whom none were men of mark except Edmund Burke, who was not a member of the government. Nevertheless, Rockingham and his faction represented what would be termed in American political language the "regular" section of the Whig party, and might hope to attract the other sections of that once powerful organization.

Policy of the new ministry.

This weak ministry came into office at the moment when a most serious crisis was impending. There was in addition to the trouble in America a controversy over general warrants in England, which involved issues similar to those

that underlay the question of writs of assistance in Massachusetts. As to the Stamp Act, it was difficult to know what to do: that precise form of taxation had been selected because, in ordinary circumstances, the law would have enforced itself, as it was for the interest of every person receiving a legal document to see that it was in all respects according to law. In the temper then prevailing in America, it was absolutely impossible to enforce it without an armed conflict, and there could be no question of modifying the act, as it was well drawn. The colonists objected to being taxed at all by any legislative body in which they held themselves to be unrepresented. In this state of doubt the Rockingham ministry determined to repeal the act, mainly on account of the shrewd observations of Dr. Franklin, then in London as agent for several colonies, and in the hope of winning the support of William Pitt, whose hearty co-operation might have given the ministry sufficient strength to maintain itself in power. America has probably never produced a man of greater mental grasp than Benjamin Franklin, and in him the greatest ability was combined with common sense and worldly wisdom, as they have never been combined in any other man. He and some of his English friends brought it about that he should be summoned to the bar of the House of Commons, and there interrogated as to the American crisis. Some of the questions were arranged beforehand, but many were prompted by the course of the examination. In the House of Commons, Pitt made two speeches denying the right of Parliament to lay internal taxes on the colonies and "rejoicing that America had resisted." He sought to draw a line between external and internal taxation, and argued that, although Parliament could regulate trade and raise a revenue, while so doing it could not lay direct internal taxes on the colonists. The same view was enforced in the House of Peers by Lord Camden, who urged that taxation without representation was against the constitution. Their arguments were ably met in the Commons by

Benjamin Franklin, portions of autobiography in Stedman and Hutchinson, III, 3–16.

His examination. Stedman and Hutchinson, III, 21.

Pitt's speech. Adams's *British Orations*, 98; Hart's *Contemporaries*, II, No. 142.

George Grenville, and in the Peers by Lord Mansfield, who had the law clearly on their side, although expediency was as plainly with Pitt and Camden. The English merchants petitioned for the repeal of the act, on the ground that the disturbances which it had caused in America were disastrous to colonial trade. Thus urged, and with the means of retreat pointed out by Pitt, the ministers brought in two bills, — one to repeal the Stamp Act, the other declaring that Parliament had power to "legislate for the colonies in all cases whatsoever." Both bills passed and became law. Thus Parliament upheld the theory of its legislative supremacy, but gave way on a particular point. The colonists, considering that they had won, rejoiced greatly, and no name was more popular with them than that of William Pitt. In reality, however, by the Declaratory Act, Parliament had retained full right to tax the colonists whenever it might seem best. There can be no question that Pitt was wrong in his attempt to separate the taxing power from the general legislative power, and that Mansfield and Grenville were right in asserting that one could not exist without the other.

Repeal of the Stamp Act, 1766.

The Declaratory Act, 1766. Winsor's *America*, VI, 32.

127. The Townshend Acts, 1767. — The yielding to Pitt did not bring to the Rockingham ministry the support of that statesman. On the contrary, he soon became the head of a government which is known as the Chatham-Grafton ministry. William Pitt, now a peer, with the title of Earl of Chatham, was the real leader, although the Duke of Grafton was the nominal head. The other members of the government were drawn from all parties, — followers of Rockingham and Pitt, and even Tories, like Lord North; indeed, so many elements were represented, that Burke laughingly described it as a bit of "tesselated pavement" and christened it "The Mosaic Ministry." Chatham almost immediately retired to his country house, the victim of some peculiar malady, which seems to have resembled the "nervous prostration" of our day. Under these circumstances, the most energetic man took the lead, and he was

Chatham-Grafton ministry.

The Townshend Acts, 1767. Winsor's *America*, VI, 35; Fiske's *Revolution*, I, 28–32; *Frothingham's *Republic*, 203–206.

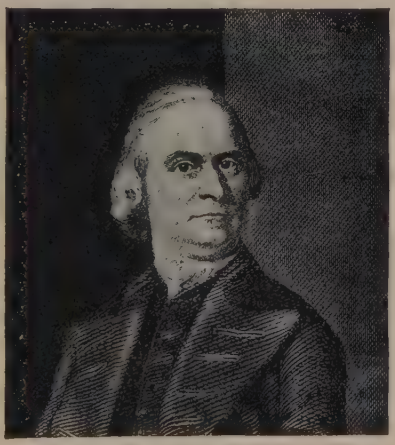
Charles Townshend, Chancellor of the Exchequer or minister of finance. Relying on the Declaratory Act, he proceeded to carry out the policy of George Grenville, except as to internal taxes. This led to the passing of several bills (1767), which are usually known from their promoter as the Townshend Acts. (1) One act provided for a colonial revenue, to be raised from a tax on wine, oil, glass, paper, lead, painters' colors, and tea imported into the colonies, the duties to be paid at importation, and the proceeds used (2) to pay the salaries of the governors and judges of the royal provinces, in this way rendering them independent of the votes of the colonial assemblies. (3) Another enactment provided for the appointment of a Board of Customs Commissioners, resident in the colonies, who would be able to exercise effective control of the customs service. (4) Writs of assistance were also declared to be legal, and (5) provision was made for the trial of revenue cases by admiralty courts without juries. (6) At nearly the same time, Parliament suspended the functions of the legislative assembly of New York because it had not made provision for the support of the British regiments stationed in the city of New York, as was required by an earlier act passed during the Grenville régime. These various enactments raised most serious issues: (1) the constitutional relations of Parliament and the several colonial legislatures, (2) the right of trial by jury, (3) the control of the judiciary and executive by the people, (4) the legality of writs of assistance, and (5) the right of Parliament to tax goods imported into the colonies. The answer of the colonists was not long delayed, nor was it easily misunderstood.

Letters of a Pennsylvania Farmer, 1767–68. Fiske's *Revolution*, I, 47.

128. Resistance to the Townshend Acts, 1768, 1769. — Non-importation agreements were again proposed, especially by Virginia, but without much effect, and in the *Letters of a Pennsylvania Farmer*, John Dickinson, one of the truest-hearted and best men of the revolutionary epoch, pointed out "that any law, in so far as it creates expense,

is in reality a tax." It was on New England, however, that the new legislation would bear most severely, and it was New England, especially Massachusetts, that took the lead in opposition. In the winter of 1767–68 the representatives voted several petitions and letters, which were the work mainly of Samuel Adams. Among them was a Circular Letter to be signed by the Speaker of the House and transmitted to the other assemblies, notifying them of the votes of Massachusetts and suggesting concerted action, while disavowing any desire for independence. Precisely what it was in this document that aroused the fears of the British government cannot be definitely stated; but the fact that the Massachusetts leaders felt it necessary to assure the other colonies that they were not aiming at independence might well have alarmed the colonial secretary. At all events, he wrote to Governor Bernard of Massachusetts directing him to order the legislature of that province to rescind the letter; and in a Circular Letter to the governors of the other provinces he commanded them to dissolve the assemblies of their respective colonies in case they should act in conformity with the invitation from Massachusetts. The House of Representatives of the latter province, by an overwhelming majority, refused to rescind its letter, and the other assemblies grasped the first opportunity to make the cause of Massachusetts their own.

Massachusetts Circular Letter, 1767–68. Winsor's *America*, VI, 41; 'Fiske's *Revolution*, I, 47–50; *Frothingham's *Republic*, 209–232.



Samuel Adams

Seizure of the *Liberty*, 1768. Winsor's *America*, VI, 43; Fiske's *Revolution*, I, 51–53.

129. Seizure of the *Liberty*, 1768. — The new Board of Commissioners of Customs (p. 150) established their headquarters at Boston, where there was the greatest need of supervision, but where they were certain to be opposed in the exercise of their duty. Presently arrived the sloop *Liberty*, owned by John Hancock, a rich Boston merchant and a very popular man. Attempting to evade this payment in the usual manner, by bribing the customs officials,

The Hancock House

the vessel was seized and towed under the guns of the British frigate *Romney*, which was lying at anchor in the harbor. A riot occurred which frightened the commissioners; they fled to the fort in the harbor and wrote to England demanding soldiers and a larger naval force. Before this supplemental force could arrive, however, the Boston people, in town meeting, requested the governor to summon the assembly; on his refusal, they summoned a convention of delegates from the several towns. It met,

but accomplished nothing except to provide a precedent for the Provincial Congress of a later day.

Virginia Resolves, 1769. *Frothingham's *Republic*, 232–237.

130. The Virginia Resolves of 1769. — To the ever-growing list of colonial grievances, there was now added a threat which, had it been carried out, would have worked great injury to the colonists. In the days of Henry VIII, long before England had a colony or a colonist, Parliament had passed an act authorizing the trial, conviction, and punishment in England of an English subject accused of crimes committed outside the realm. The two houses of Parliament now prayed the king to cause colonists charged with treason to be brought to England for trial, in accordance with the provisions of this ancient statute. The Virginia leaders, ever alive to constitutional matters, were thoroughly converted to the opposition. Washington, one of the most influential and prosperous of their number, as well as one of the wisest, wrote: "... No man should hesitate a moment to use arms in defence of so valuable a blessing [freedom]." The Virginia Assembly met on May 11, 1769. Five days later, the burgesses unanimously adopted four resolves, asserting (1) that they, with the council and the king, or his representative, have "the sole right of imposing taxes on the inhabitants" of Virginia, (2) that the inhabitants of the several colonies have the right to petition for redress of grievances, and (3) that it is lawful for them to petition jointly with the people of other colonies. Coming now to the precise matter which had been the occasion of these resolves, the burgesses declared (4) that all trials for any crime whatsoever should be within the colony by known course of law, and asserted that the sending any suspected person beyond the seas for trial is "highly derogatory of the right of British subjects." The Speaker was directed to send copies of these resolves to the other assemblies, and to request their concurrence therein. The governor at once dissolved the Virginia Assembly, but the popular branches of the other colonial assemblies generally adopted similar resolutions

Analysis of resolves.

— some of them even used the words of the Virginia Resolves.

Virginia proposes non-importation, 1769. *Frothingham's *Republic*, 238.

131. Non-importation Agreements, 1769. — The dissolution of the Virginia Assembly only hastened the crisis. The burgesses met in a neighboring house and signed an agreement binding themselves neither to use nor to import any goods on which a tax was levied by act of Parliament. This document had been drawn up by George Mason; it was presented to the burgesses by George Washington, and among the signatures to it was that of Thomas Jefferson. The other colonies soon adopted similar agreements, and by the end of the year (1769) the non-importation policy was in full operation. The object of the colonists in "boycotting" certain goods, which were either the products of England or were imported through English mercantile houses, was to exert a pressure on English merchants engaged in colonial trade, and through them to influence the government. This policy proved to be effectual; the merchants petitioned for the repeal of the act, and the government acceded to their wishes. In point of fact, the Townshend duties, instead of producing a revenue, had proved to be a source of expense. It was estimated that they had brought into the exchequer only two hundred and ninety-five pounds above the cost of collection; and the opposition to them had necessitated increased expenditures to the amount of one hundred and seventy-five thousand pounds.

Partial repeal of the Townshend duties. Fiske's *Revolution*, I, 60–63.

Instead, however, of repealing them all, the government, at the express command of the king, retained the duty on tea to serve as a precedent for future parliamentary taxation of the colonists. The tea tax had yielded a total gross revenue of some three hundred pounds, and was retained probably on account of its insignificance, for being unnoticed, it might not be resisted. The Navigation Acts and the trade laws still remained; conflicts with the revenue officers became more frequent, and the colonists regarded with increasing dislike the British soldiers stationed at New York and Boston.

132. The Boston Massacre, 1770. — While the government and Parliament had been considering the question of repeal, a serious affray, known as the "Boston Massacre," had greatly complicated the situation (March, 1770), although tidings of the disturbance had not reached England until after the partial repeal of the Townshend duties (April, 1770). A few soldiers had been stationed at Boston as early as 1766; but it was not until after the rioting consequent on the seizure of the *Liberty* that any considerable body of troops was sent to that town. It is difficult to conceive why they were sent, as two regiments could have offered slight resistance to the soldiery of Massachusetts, and their presence was certain to embitter the already strained relations between the colonists and the British authorities. Early in 1769, blood was shed in an attempt by a party from the *Rose* frigate to press men into the naval service; and a short time after, a boy had been accidentally shot in the streets of Boston. On Saturday night, March 3, a party of soldiers, while off duty, engaged in a conflict with some workingmen returning from their labor. The next Monday, March 5, 1770, renewed conflict began with the soldiers, this time with those on duty on King, now State, Street. Before the matter ended, the main guard was turned out and the mob fired upon by the angry and frightened soldiers; four citizens were killed and several wounded. It was evident to the leaders on both sides that a most serious crisis had arisen; in the temper then prevailing, the soldiers must be removed or they would be slaughtered and a conflict with Great Britain precipitated, which was desired at that time by few colonists.

British soldiers in Boston, 1766–70. Winsor's *America*, VI, 49.

Impressment, 1769. Chandler's *Criminal Trials*, I, 297.

The Massacre. Chandler's *Criminal Trials*, I, 303–418; Fiske's *Revolution*, I, 66–72.

At the head of a committee appointed in town meeting, Samuel Adams waited upon Hutchinson, then acting as governor in the absence of Bernard, and demanded the removal of the troops. Hutchinson offered to remove the regiment which had fired on the people. Adams reported this answer to the town meeting. He soon reappeared and said to Hutchinson: "If you can remove one, you can

Adams and Hutchinson. Hart's *Contemporaries*, II, No. 151.

remove both; there are three thousand people in yonder town meeting; the country is rising; the night is falling, and we must have our answer." Hutchinson promised to send them all out of the town, but it took another town meeting to secure their departure. The officers and men present at the time of the firing were arrested and tried on

Faneuil Hall

the charge of murder. They were defended by John Adams and Josiah Quincy, Jr., two patriots, who risked their popularity and influence that the soldiers might have the fullest justice done to them. All were acquitted on the charge of murder by a jury drawn from Boston and the neighborhood; two of them, however, were found guilty of manslaughter and branded in the hand. Probably the issues underlying no other event in American history have been so misrepresented by friends and foes as those relating to this so-called

"massacre." The colonists regarded the British army as existing under British law and, therefore, they maintained that not a soldier could be constitutionally stationed in any colony without the consent of the colonial legislature. This theory was similar to that upon which the opposition to the Stamp Act and the Townshend Acts was based. From another point of view the "massacre" was important, as it showed the danger to the liberty of the subject incurred by the substitution of military for civil power. The event was therefore commemorated in Boston as a victory for freedom, until the adoption of the Declaration of Independence, on July 4, 1776, gave the people of the whole country a day of general rejoicing.

Thomas Hutchinson

133. Local Committees of Correspondence. — After the removal of the soldiers, affairs in Massachusetts assumed a quieter aspect than they had borne for years. Hutchinson chose this time of quiet to open a discussion with the House of Representatives as to the rights and duties of the colonists. He argued that the position assumed by the colonial leaders was unsound and asserted that they must either submit or become independent. Undoubtedly Hutchinson was right; there was no constitutional mode of redress; the colonists were face to face with the alternative of submission or rebellion and the latter might lead to revolution and independence. Samuel Adams saw at once the opportunity such a debate gave him to call attention to the real issues in controversy. He spread the discussion abroad through-

Local Committees of Correspondence. Fiske's *Revolution*, I, 77–80; *Frothingham's *Republic*, 259–271.

Hutchinson and Adams. Stedman and Hutchinson, III, 61; Hosmer's *Samuel Adams*.

out the whole province by means of town committees of correspondence. At the moment, however, Massachusetts seemed to stand alone. An over-zealous naval officer, by the rigorous way in which he sought to enforce the navigation laws, brought on a crisis that ended in the formation of colonial committees of correspondence,— the second step in the formation of a complete revolutionary organization.

Burning of the *Gaspee*, 1772. Lossing's *Revolution*, I, 628.

134. Colonial Committees of Correspondence. — Among the many acts of violence committed by the colonists before the destruction of the tea by the Boston men, none led to more important consequences than the burning of the *Gaspee* by the people of Providence. There were not wanting deeds of daring in other colonies, as the destruction of the *Peggy Stewart* by the Marylanders; but the *Gaspee* affair assumed a national importance from the action of the British authorities. The *Gaspee* was an armed government vessel commanded by Lieutenant Dudington of the royal navy. His duty was to patrol Narragansett Bay and connecting waters with a view to the enforcement of the Navigation Acts. One day, while chasing a colonial vessel, the *Gaspee* ran aground and remained immovable on a narrow spit, which has since been called Gaspee Point. Led by the most prominent and respected merchant in the town, men from Providence boarded her in the night, seized the crew, and set the vessel on fire (1772). Instead of passing over the matter as a personal quarrel between Dudington and the Providence men, the British government determined to avenge it as an insult to the British flag. A Commission of Inquiry was sent to Rhode Island to sift the matter, to seize the perpetrators, and to convey them out of the colony for trial. The names of those who had taken part in the affair were known to a thousand persons at least, but no one could be found to inform the commissioners against them. Moreover, Stephen Hopkins, the courageous chief justice of Rhode Island, declared that not a person should be

The Commission of Inquiry.

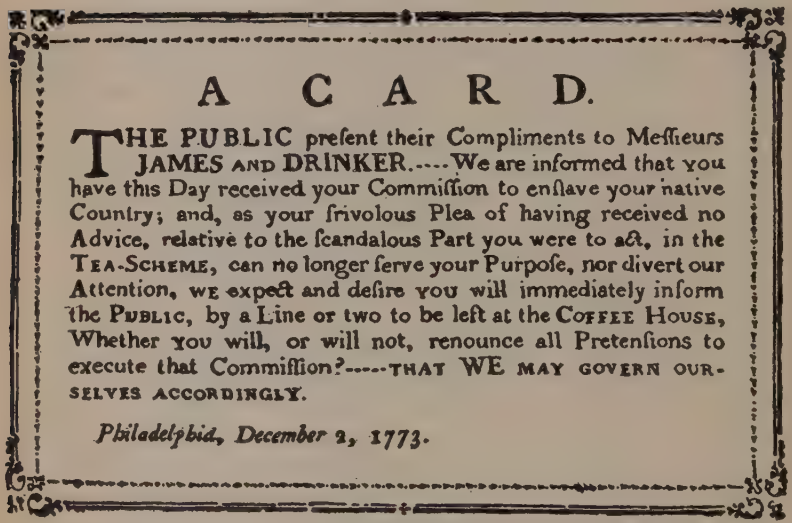
removed for trial without the colony's limits. The commissioners abandoned the inquiry and reported their failure to the government. The Virginia Assembly was in session when the news of the appointment of this commission reached the Old Dominion. Now, as in 1769 (p. 153), the burgesses showed themselves peculiarly alive to any action which looked toward the breaking down of the constitutional safeguards of the liberty of the colonists. Under the leadership of Patrick Henry and Thomas Jefferson, a permanent Committee of Correspondence was appointed to inform themselves particularly of the facts as to the Gaspee Commission, and "to maintain a correspondence with our sister colonies." Massachusetts, Rhode Island, Connecticut, New Hampshire, and South Carolina appointed similar committees. For the moment the other colonies took no action. The machinery for revolutionary organization had been discovered, however, and before long the action of the British government as to the tea duty forced all the colonies into line.

Colonial Committees of Correspondence, 1773. *Frothingham's *Republic*, 279–283.

135. **Colonial Union.** — The English East India Company was now in severe financial straits, owing to the wars it was compelled to wage in India, to the extravagance with which the government of that country was administered, to the heavy payments it was obliged to make to its shareholders and to the English government, and to the heavy duties levied in England on goods produced in India. The Dutch East India Company was able to undersell its rival, and most of the tea consumed in the colonies was smuggled in from the Netherlands. The English duties on tea amounted to about seventy-five per cent. To help the East India Company, these duties were remitted on all tea exported to Ireland and America. This was done by one of the Townshend Acts, which also levied a new duty of three pence per pound on all tea landed in the colonies (1767). But this policy was not successful, as the East India Company was obliged to make good any deficiency in the revenue that might result. It was now proposed to allow the Company to export

Attempt to bribe the colonists to pay tea duty *Frothingham's *Republic*, 295–310.

tea to the colonies without any conditions except the duty of three pence, which would still be collected in the colonies. Some one suggested that the easiest way to avoid any conflict with the colonists would be for the company to pay the latter tax in England and add the amount to the price of the tea; but the government was immovable on that point. They desired to establish a precedent for the par-



A C A R D.

THE PUBLIC preſent their Compliments to Meſſieurs JAMES AND DRINKER.----We are informed that you have this Day received your Commiſſion to enſlave your native Country; and, as your frivolous Plea of having received no Advice, relative to the ſcandalous Part you were to act, in the TEA-SCHEME, can no longer ſerve your Purpoſe, nor divert our Attention, WE expect and deſire you will immediately inform the PUBLIC, by a Line or two to be left at the COFFEE HOUSE, Whether you will, or will not, renounce all Pretenſions to execute that Commiſſion?-----THAT WE MAY GOVERN OURSELVES ACCORDINGLY.

Philadelphia, December 2, 1773.

A Tea Handbill

liamentary taxation of the colonies, and the present opportunity seemed most favorable. The colonists would obtain their tea at a cheaper rate than the people of England could buy it. Under these circumstances, it was supposed that they would not object to paying the duty; but the very cheapness of the tea at once convinced the colonists that all was not right. They regarded it as an attempt to bribe them into a surrender of the constitutional principle for which they had been contending and refused to have anything to do with it at any price. The vessels

bearing tea to Philadelphia and New York were allowed by the authorities to leave port without landing their cargoes. At Charleston the tea was stored until 1776, when it was sold by the Carolinians. At Boston the customs authorities, with the support of Governor Hutchinson, refused to permit the tea vessels to clear outwards unless the tea were first landed. The rules of the customs service prescribed that goods which were not landed, and on which duties were not paid within a certain time, should be seized by the collector and sold to the highest bidder. The Massachusetts men were determined that the tea should not be placed on the market, and it was thrown into Boston harbor by a mob.

The Boston Tea Party. Fiske's *Revolution*, I, 82–93; *Old South Leaflets*, No. 68, Gen. Ser.

Not only did this attempt to bribe the colonists into a surrender of their rights fail, but six more colonies appointed Committees of Correspondence. Pennsylvania alone held back; with that exception the colonial union was complete.

136. Repressive Acts, 1774. — The determined attitude of the colonists greatly incensed the governing classes in Great Britain, and they decided to punish the turbulent people of Boston and Massachusetts. With this end in view, Parliament passed four acts: (1) closing the port of Boston to commerce; (2) suspending the operation of the charter of Massachusetts; (3) providing for the trial outside of the colony of persons (soldiers and others) who might be charged with crime committed while quelling riots within the colony; and (4) providing for the quartering of British troops within the province. At about the same time Parliament also passed an act, known as the Quebec Act, which extended the boundaries of that province to the Ohio River and established an arbitrary form of government within it. The rights of holders of grants from the crown were expressly reserved to them in the act, and it is probable that the claims of Massachusetts, Connecticut, and Pennsylvania to lands within the new province would have been recognized. The measure had been long in preparation, and its passage at the present crisis had no relation to the dispute

Massachusetts punished, 1774. Fiske's *Revolution*, I, 93–97; *Frothingham's *Republic*, 317–327, 345–358.

The Quebec Act, 1774. Hinsdale's *Old Northwest*, 141.

with the colonies south of the St. Lawrence. It was inevitable, however, in the excited condition of the colonists' minds, that they should regard the Quebec Act as aimed against themselves; they saw in it a disposition on the part of the British government to limit the further extension westward of the self-governing colonies. This was a matter which appealed to them all, and was the one thing required, if anything were needed, to unite them against the encroachments of the British government. The repressive acts dealt for the moment with Massachusetts alone; but it was clear that if Parliament could overthrow the constitution of one colony, it could of all, and the interests of all the colonists were really involved. Soon their sympathy was aroused by the sufferings of the people of Boston. New York and Rhode Island proposed that a general congress should be held; the Virginia burgesses appointed a day of fasting, and upon being dissolved for this action, they formed themselves into a convention, appointed a revolutionary Committee of Correspondence, advocated the holding of annual intercolonial congresses, and voted that "an attack upon one colony was an attack upon all British America." The actual call for the congress, however, came from Massachusetts (June 17, 1774).

Demand for a Continental Congress. Fiske's *Revolution*, I, 100–110.

137. The First Continental Congress, 1774. — Delegates to this meeting were chosen by all the colonies save Georgia, — in some cases by the colonial assembly, as in Massachusetts, in others by conventions, as in Virginia; in a few colonies, where no such bodies were in session or could be summoned, the delegates were chosen by the Committees of Correspondence or by the people of the several towns and counties. In New York and Pennsylvania, the moderates and conservatives, or Tories, as they were called, obtained control; in the other colonies, the radicals usually carried the day.

Elections to the Congress.

The most important document called forth by the contest over these elections was Thomas Jefferson's *Summary View of the Rights of British America*, which was first drawn up

Jefferson's *Summary View*.

in the form of *Instructions to the Virginia Delegates*, but it was too outspoken for the members of the Virginia convention, and was not adopted. In this essay, Jefferson boldly denied the existence of a legislative union between the colonies and Great Britain, and utterly refused to admit the legislative supremacy of the British Parliament, even as to external trade. On the other hand, he declared that the union was simply through the crown, as the union between England and Scotland of the seventeenth century. He enumerated many acts of injustice on the part of the British king and urged the appointment of an American secretary for the colonies.

American History Leaflets, No. 11.

The congress met at Philadelphia on September 5, 1774. Franklin was still in England, and Jefferson was not selected as a delegate by the Virginia convention. With those exceptions, all the ablest men then in political life were present. From Massachusetts came the two Adamses, Samuel, the first American politician, and John, the keen constitutional lawyer; mental disease, greatly intensified by blows which he had received from a British official, incapacitated Otis from further service. Rhode Island sent her venerable judge, Stephen Hopkins, and Connecticut was represented by Roger Sherman, whose long services in Congress have given him an honored place in American history. John Jay, the first Chief Justice of the United States, came from New York, John Dickinson from Pennsylvania, and John Rutledge from South Carolina. Virginia was represented by a remarkable group of men: George Washington, whose sound judgment and solid information made him the foremost member of the congress, Patrick Henry, Richard Henry Lee, and Peyton Randolph.

Meeting of Congress, 1774, the delegates. *Frothingham's *Republic*, 359–380.

The congress adopted a Declaration of Rights which was not much more radical in tone than that of the Stamp Act Congress, and was much milder than the one advocated by Jefferson in the *Summary View*. The more important work of this congress was the establishment of the American Association, designed to secure the enforce-

Declaration of Rights, 1774. *Frothingham's *Republic*, 371.

ment of a general non-importation and non-consumption agreement. The execution of this policy was no longer to be left to chance: the congress recommended the election of a committee by the county, town, or other local administrative unit in each colony, which should oversee the carrying out of non-intercourse with Great Britain. These local committees were to be supervised by the colonial Committees of Correspondence; the names of all offenders against the agreement should be published; and any colony which declined to enter the association should be regarded as hostile to "the liberties of this country," and denied all intercourse with the members of the association. In this manner, by the union of local and colonial committees under the leadership of continental congresses, a political organization was formed so perfect that it controlled the actions of individuals in all walks of life. Congress adjourned in October, after providing for the assembling of a new congress in May, 1775, unless the grievances of the colonists were redressed before that time.

English government declares Massachusetts in rebellion.

138. More Repressive Measures, 1774, 1775. — A general election for members of a new Parliament was held towards the end of 1774, and the electors, by returning an overwhelming majority for the government, showed that they agreed fully with the king and his ministers in their desire to compel the colonists to obey acts of Parliament. The government at once introduced several bills to carry out their policy of repression. These were rapidly passed by both houses and became law. By them the New England colonists were cut off from all trade except with Great Britain, Ireland, the West Indies, and the continental colonies of New York, North Carolina, and Georgia; for these last seemed to be more submissive than the others. Massachusetts was declared to be in a state of rebellion, and measures were at once taken to put the insurrection down by force. To this policy, the opposition in the House of Commons, led by Burke and Charles James Fox, offered stout resistance, but their espousal of the colonial cause

only deepened the hostility of the king. Chatham's proposals for a more conciliatory policy were set aside with contempt. Instead, Lord North, who was now at the head of the government, suggested that Parliament would not tax the colonists provided they would tax themselves to the satisfaction of Parliament,— a proposition which Burke rightly characterized as offering them "the very grievance for the remedy."

Chatham's advice. *Old South Leaflets*, IV, No. 2; Adams's *British Orations*, I, 185.

139. Lexington and Concord, April 19, 1775. — Meantime, in Massachusetts, affairs had come to a crisis. The government of that province, under the new order of things, had been confided to General Gage, the commander in chief of the British army in America, and he had come to Boston at the head of a small force of troops. He was a weak, foolish, and imprudent man, who annoyed the colonists by a series of petty hostilities. In September (1774) he summoned the General Court to meet at Salem, the new capital of the province, in the following October, but afterwards put off its assembling, as affairs had taken on a very threatening aspect. The representatives, however, met at the appointed time, formed themselves into a Provincial Congress, adjourned to Cambridge, and assumed the government of the province outside of Boston and other territory controlled by the soldiers. They appointed a receiver-general and advised the town officials to pay their proportions of the public taxes to him and not to Gage's treasurer. The Provincial Congress also began the reorganization of the military forces of the colony, and appointed a Committee of Safety, which, with other committees, performed the administrative functions. The theory under which the radical leaders thus assumed the government was that as Parliament had no constitutional power to suspend the operation of the charter, the government set up under the suspending act was in itself illegal. The charter, according to this idea, was still in force, and as Gage, the king's representative, would not govern according to its provisions, the people of the colony must provide for their own welfare.

Gage at Boston. Winsor's *America*, VI, 113–125.

Massachusetts prepares for war.

Lexington, April, 1775. Fiske's *Revolution*, I, 120–123.

Gage, on his part, found himself almost powerless in Boston, — the people would not work for him, and the farmers of the neighboring country would not sell him supplies for his soldiers. Moreover, throughout the province, everywhere drilling and arming were in progress. He determined to disarm the people. His first attempt to seize stores at Salem ended in a ridiculous failure, but no blood was shed. On the night of the 18th of April, he detached a large body of men to seize stores which were said to be concealed at Concord. The march of the troops was to be secret, but fearless riders carried the news of the soldiers coming to Lexington and to Concord. On the morning of the 19th of April, when the British soldiers reached Lexington, a small body of militiamen was seen drawn up on the town common. They dispersed when the size of the British column was apparent. Some one fired, whether American or Briton will never be known; several were killed and others wounded.

Concord. Fiske's *Revolution*, 123–128.

Emerson's address, etc., in *Old South Leaflets*, I, No. 3.

The soldiers pressed on to Concord, to find that most of the supplies had been removed; there, a skirmish occurred with the militiamen, and the homeward march was one continuous conflict. The colonists pursued the retreating soldiers until the guns of the men-of-war anchored off Charlestown gave them protection; the provincials then withdrew and, instead of seeking their homes, encamped for the night at Cambridge, and began the blockade or siege of Boston.

SUGGESTIVE QUESTIONS AND TOPICS

§§ 113–116. England's Colonial Policy

a. What is a "bounty"? Just how is it paid? In the history of the United States what bounties have been paid?

b. Look up the subject of "general warrants" in English history. Get a warrant from your town officials, and note its exactness of description. What is the provision of the Constitution as to general warrants? What of the constitution of your state?

§§ 117, 118. American Political Theories

a. Read Locke's *Second Essay on Government.* Note its fundamental ideas; watch for their enunciation in American political documents.

b. What is the fundamental argument of both Otis and Henry?

§§ 119–123. American and British Theories

a. Was Grenville's contention — that the colonists should obey Acts of Parliament and pay a portion of the expense incurred in their defense — intrinsically just? Give your reasons.

b. What are the advantages and disadvantages of a stamp duty? Why should we not have such a tax to-day?

c. Why has trial by jury been called "the most democratical of judicial institutions"? Give arguments for and against it. Ask some friend of yours, who is a lawyer, to explain this to you.

d. Requirement of residence for elector and for representative. Give the arguments for and against this requirement. How is the matter arranged in the Constitution? in the constitution of your own state? What is the practice in your own city or town or district?

§§ 124–126. The Stamp Act

a. Under what heading in your note-book should the "Declaration of Rights" be entered, and why? State the five principles it enunciates.

b. State at length and compare the leading points in Pitt's and Mansfield's speeches; in Grenville's and Camden's.

§§ 127–134. The Townshend Acts

a. Enumerate the Townshend Acts, and state what principle of government each one violated.

b. Why did these Acts bear most heavily upon New England?

c. What was the first step in the formation of a complete revolutionary organization? the second step? the third step? the fourth step?

§§ 135–139. Colonial Union and Rebellion

a. Were the acts of 1774 "illegal"? Precisely what is meant by "illegal"? Why was the first act declared by Burke to be unjust? The second act has been called the most serious of all the grievances which led to the Revolution; why?

b. Compare the Stamp Act Congress, the First Continental Congress, and the Second Continental Congress. Had any of these bodies any legal standing? Prove your answer.

c. Compare the "American Association" with associations of the present day; *e.g.* of Railway Employees.

Historical Geography

Represent in colors upon your Map of the Proclamation of 1763 the boundaries of Quebec under the Act of 1774, and make any necessary change in the map of your state.

General Questions

a. Collect from this and the preceding chapter examples of the irritating effect of the Navigation Acts.

b. State the several steps towards colonial union which you have so far met, and note in each the strength or weakness of the federal tie.

c. What was the fundamental cause of the separation of the colonies from the British Empire?

d. Collect in separate lists all the examples of the four different means of resistance used by the colonists, — protests, riots, non-importation, congresses.

Topics for Investigation by Individual Students

(See directions under this head on p. 48.)

a. Where was the first shot fired that "was heard around the world"? Was it a British or an American shot? Sources, *Guide*, p. 295.

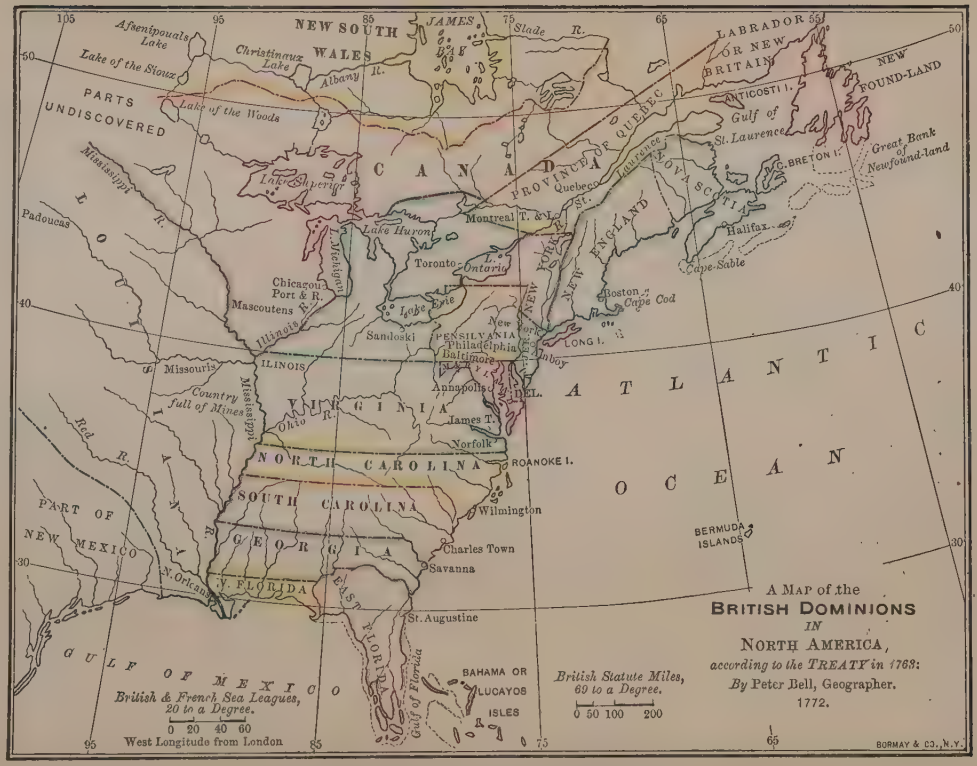
b. Compare Jefferson's *Summary View* and the Declaration of Independence (p. 163).

c. Destruction of the *Gaspee*. Sources, *Guide*, p. 293.

d. The Boston Massacre (p. 155).

e. Franklin's examination (p. 148).

f. Compare account of early life of Patrick Henry in Wirt's *Henry* and in Tyler's *Henry*.



No. II. The Colonies in 1763

CHAPTER V

INDEPENDENCE, 1775–1783

Books for Consultation

General Readings. — Lodge's *English Colonies*, 492–521; Higginson's *Larger History*, 249–293; Hart's *Formation of the Union*, 70–106; Fiske's *War of Independence*, 86–193 and *Civil Government*, 161–180.

Special Accounts. — Sloane's *French War and the Revolution*, 192–388; Frothingham's *Rise of the Republic;* Winsor's *America*, VI, VII; Fiske's *American Revolution;* Greene's *Historical View;* *Bancroft's *United States;* *Hildreth's *United States;* *Lecky's *England*, IV, chs. xiv, xv; *Mahon's *England;* Carrington's *Battles of the American Revolution;* Hosmer's *Samuel Adams* (S. S.); Morse's *John Adams* (S. S.); Bigelow's *Franklin;* Lodge's *Washington* (S. S.); Pellew's *Jay* (S. S.); Sumner's *Robert Morris;* Schouler's *Jefferson* (M. A.); Lowell's *Hessians;* Greene's *German Element;* Winsor's *Memorial History of Boston;* Grant's *Memorial History of New York;* Larned's *History for Ready Reference*, under United States and the several states.

Sources. — Biographies and writings of Samuel Adams, John Adams, Burgoyne, Dickinson, Franklin, Greene, Hamilton, Henry, Jay, Jefferson, Lafayette, R. H. Lee, Pickering, Shelburne, and Washington, see *Guide*, §§ 135, 25, 32, 33; *Annual Register;* Chandler's *American Criminal Trials;* Sparks's *Diplomatic Correspondence of the Revolution;* Wharton's *Revolutionary Diplomatic Correspondence;* Hart's *Contemporaries*, Vol. II; Donne's *Correspondence of George III and Lord North;* *Journals of Congress;* *Secret Journals of Congress;* Force's *American Archives;* Stedman and Hutchinson's *Library of American Literature;* Niles's *Principles and Acts of the Revolution;* *American History Leaflets;* MacDonald's *Documents.*

Maps. — Mac Coun's *Historical Geography;* Carrington's *Battles;* Winsor's *America;* Lowell's *Hessians;* Hart's *Epoch Maps*, No. 6.

Bibliography. — Channing and Hart, *Guide to American History*, §§ 56 a, 56 b (General Readings), §§ 135–141 (Topics and References).

Illustrative Material. — Roosevelt's *Winning of the West*, II; Longfellow's *Paul Revere's Ride;* Holmes's *Grandmother's Story of Bunker Hill;* Mrs. Child's *The Rebels;* Eggleston's *American War*

Ballads; Moore's *Ballads of the American Revolution;* Sargent's *Loyalist Poetry of the Revolution;* Campbell's *Gertrude of Wyoming;* Dunlap's *André;* Freneau's *Poems;* Hopkinson's *Battle of the Kegs;* Cooke's *Bonnybel Vane;* Cooper's *Lionel Lincoln* (Bunker Hill), *The Pilot, The Spy;* Bret Harte's *Thankful Blossom;* Cooke's *Virginia* (A. C.); Hawthorne's *Septimius Felton;* Kennedy's *Horseshoe Robinson;* Paulding's *The Old Continental;* Roe's *Near to Nature's Heart;* Simms's *The Partisan, Mellichampe, The Scout, Katharine Walton, The Foragers, Eutaw;* Parton's *Franklin* and *Jefferson;* Lossing's *Field-Book of the Revolution;* *Parker's *Historic Americans;* Burke's *Speeches on Conciliation with America;* *Jones's *New York in the Revolutionary War;* *Lossing's *Life of Schuyler;* *Rush's *Washington in Domestic Life;* Stillé's *Beaumarchais;* Hale's *Franklin in France;* Sabine's *Loyalists;* Tyler's *Literature of the Revolution;* Sullivan's *Public Men of the Revolution;* Bynner's *Agnes Surriage;* Brackenridge's *Bunker Hill;* Harold Frederic's *In the Valley;* Altsheler's *Sun of Saratoga.*

INDEPENDENCE, 1775–1783

Growth of the colonies.

140. Material Prosperity, 1775. — Notwithstanding the controversies and conflicts described in the last chapter, the years 1760 to 1775 marked a period of great material development. The population of the colonies had increased marvellously, from about sixteen hundred thousand in 1760 to about twenty-five hundred thousand in 1775. Trade and commerce had thriven; for, although the navigation laws and the acts of trade would have borne harshly on the mercantile colonies, had they been enforced, the injury they inflicted was trifling, as they were never carried out. On the other hand, a large amount of money was paid to the colonists in the way of premiums and bounties on colonial staples.

Restrictions on manufacturing.

The laws designed to cramp colonial manufacturing prevented the growth of industry and worked great hardship. Among the last of these laws was one which prohibited the export of any machinery or patterns of machinery from England (1770). The aim of this enactment was to prevent the establishment of textile industries in the colonies. Combined with the prohibition of the manufacture of wool

and iron, this act may be regarded as showing a determination on the part of the rulers of England to prevent the establishment of manufacturing industries in the colonies and to restrain the colonists to agricultural and commercial pursuits. Notwithstanding these prohibitions and restrictions, the colonies were practically self-sustaining in 1775, although the interruption of foreign trade deprived them of articles of everyday use which were not actually necessary to existence and yet cannot be regarded as luxuries. Arms and military equipments were not produced in any quantity in America; those needed during the war were mainly obtained from the French, although some were captured from the British.

Reasons for the colonists' success.

141. Advantages of the Colonists. — The colonists were greatly inferior in numbers and in resources to the people of Great Britain. That they were able to limit the British to the occupation of a few seaboard towns, and finally to achieve their independence, was due (1) to the defective strategy of the British, (2) to the aid given by the French, and (3) to the nature of the field of operations. As to the first of these, it is not necessary to say much. The British commanders were generally inferior to the American; it is indeed extraordinary how few men of ability the British army contained. But the fundamental plan of their campaign was wrong, as they sought to occupy territory instead of crushing opposition.

Inferiority of British commanders.

French aid.

Without the aid given by the French, at first in the form of war materials, and later in the shape of liberal contributions of money, a splendid army, and a formidable naval force, the war certainly would not have been brought to a successful termination in 1781, although the colonists probably would have succeeded in the end.

Geographical features.

The geographical features of the country east of the Alleghany Mountains greatly assisted the successful resistance of the colonists. From north to south, the theater of war measured more than a thousand miles in extent, but from east to west the distance was very much

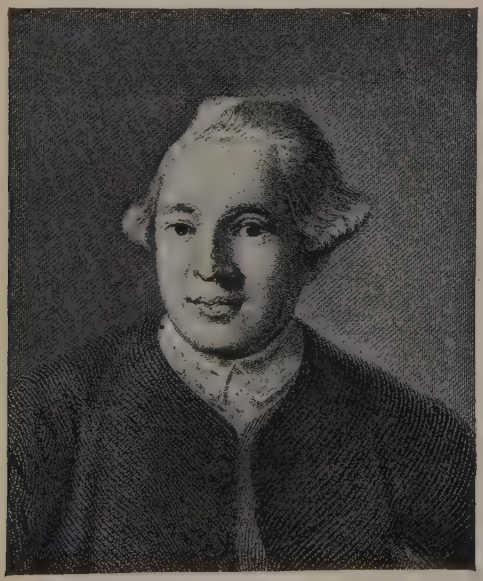
less: in some regions it was not a hundred miles wide. When hard pressed, the colonial armies were nearly always able to retire to inaccessible hilly regions, where pursuit was dangerous, if not impossible. The long, thin fringe of the continent was intersected by large and deep rivers and by arms of the sea: there were a dozen fields of operation in place of one. For instance, the Hudson River, with Lake Champlain, divided New England from the rest of the continent (p. 11); the Mohawk separated the Hudson valley into two distinct parts; Delaware and Chesapeake bays and the rivers of Virginia (p. 497) made a campaign of invasion south of the Hudson a matter of great difficulty; and the Carolinas were cut up into several geographical districts by marshes, by large regions of sandy, sparsely settled country, and by long deep rivers extremely subject to floods. Portions of this territory were still hardly better than a wilderness: good roads, suitable for the movement of army trains and artillery, were to be found only in the vicinity of the larger towns; and even these were impassable during a large portion of each year. On the other hand, good harbors everywhere abounded and made the business of the privateer and the blockade runner peculiarly easy.

Siege of Boston, 1775–76. Winsor's *America*, VI, 128–134; Fiske's *Revolution*, I, 136–146.

142. Bunker Hill, 1775. — The siege or blockade of Boston lasted for almost eleven months, from April 19, 1775, to March 17, 1776. During those months, a force drawn from all the New England colonies, and, after July, 1775, from the other colonies as well, blockaded the British army. In all this time there was but one action deserving the name of battle, — the battle of Bunker Hill. On June 16 reports reached the colonial headquarters that the British commander intended to seize Dorchester Heights. To divert him from the execution of this plan, the Committee of Safety ordered the seizure of Bunker Hill. On the night of the 16th, Colonel Prescott occupied Breed's Hill, which was nearer Boston. When day dawned, he must have seen that his position was untenable: there were no

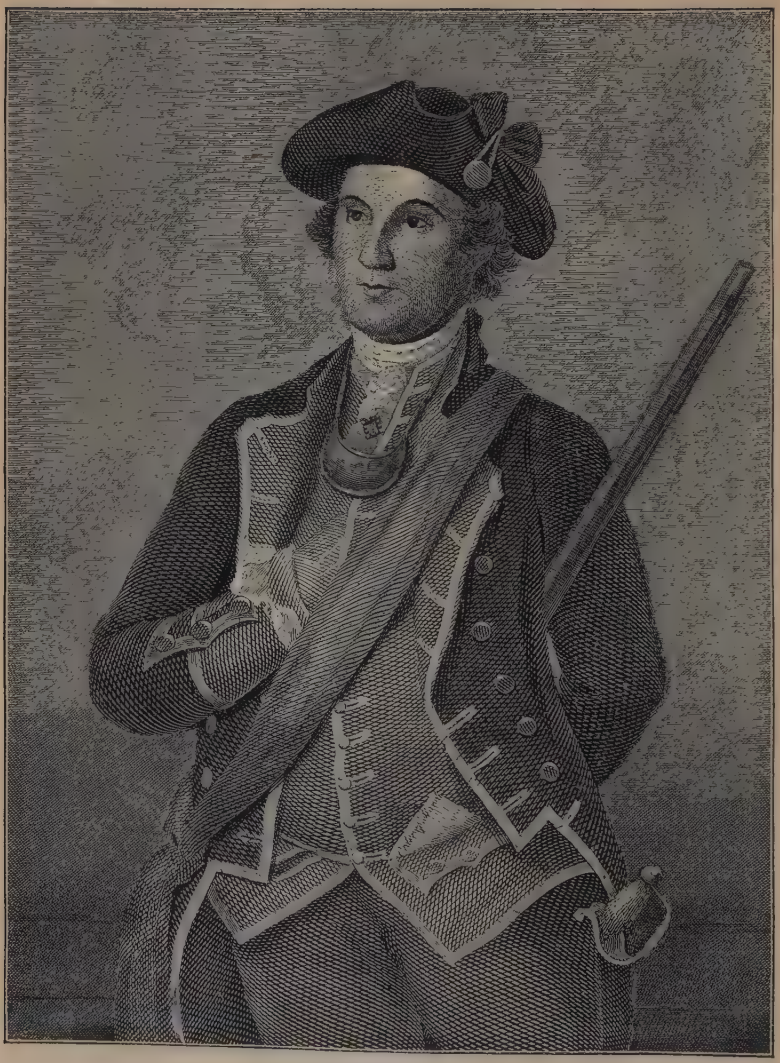
Bunker Hill. Winsor's *America*, VI, 134–140.

batteries on the mainland to guard the neck leading to Charlestown; it was possible for Gage to station vessels in the Charles and Mystic rivers and concentrate such a fire on the isthmus that no one could cross it; the British could then occupy Bunker Hill and hold the force in the redoubt at their mercy. On the morning of the 17th, Stark and his men from New Hampshire hastened to



Joseph Warren
(Killed at Bunker Hill)

Prescott's succor. Under Gage's orders, five thousand British soldiers, commanded by Howe, Clinton, and Pigott, attacked the Americans in front; they were twice beaten back, and only the failure of the American ammunition made their third assault a success. The British loss on that day was from one thousand to fifteen hundred men; that of the colonists was about four hundred. The Americans were beaten, although they were not captured to a man,



George Washington, 1772

After a painting by C. W. Peale — the earliest known portrait of Washington

as they should have been. Seldom has a defeat proved so inspiriting to the vanquished and so disheartening to the victors. The caution which Howe, who soon succeeded Gage, showed as long as he commanded the British army can be traced directly to the lesson he received on this memorable field.

143. Evacuation of Boston, 1776. — Meantime, the Second Continental Congress had met at Philadelphia in May (1775), had adopted the army blockading Boston as a national force, and had given it a commander,—Colonel George Washington of Virginia. He assumed direction of the military operations on July 3, 1775, and at once found that he had a most disheartening task before him. A full understanding of the difficulties which beset him can best be learned from his correspondence: his army, based on short terms of enlistment, constantly changed in number and personnel; he had no heavy guns suited to siege operations, and for weeks at a time had no powder, save what the men had in their pouches. Washington was obliged to present a bold front to the enemy, but was unable to undertake any active movement or to explain the reasons for his inaction. In the winter of 1775–76, heavy guns, which had been captured in May, 1775, at Ticonderoga and Crown Point, by men from western New England, were drawn over the snow to his lines, and the capture of a British vessel provided the necessary powder. Now, at last, Washington was able to assume the offensive. In March, 1776, he seized and held Dorchester Heights. The town and harbor of Boston could no longer be held by the British, and on March 17 they evacuated the town, and shortly after left the harbor.

Continental Congress assumes charge of war. Fiske's *Revolution*, I, 132–136; *Frothingham's *Republic*, 419–431.

Fiske's *Revolution* 129–132.

Evacuation of Boston. Winsor's *America*, VI, 142–158.

Meantime two columns, led by Richard Montgomery and Benedict Arnold, had invaded Canada. Montgomery perished gallantly under the walls of Quebec. The remnants of these forces were rescued with the greatest difficulty in the spring and summer of 1776.

Invasion of Canada. Winsor's *America*, VI, 160–167; Fiske's *Revolution*, I, 164–169.

Change of sentiment in regard to independence, 1775–76.

144. Growth towards Independence, 1775, 1776. — In 1776, Washington wrote, "When I took command of the army [July, 1775], I abhorred the idea of independence; now, I am convinced, nothing else will save us." There is every reason to believe that Washington's feelings on this subject were those of a large portion of his countrymen. Between July, 1775, and May, 1776, there was a great revulsion of feeling against the further continuance of the union with Great Britain. This change in the sentiments of thousands of colonists can be traced directly to a few leading causes: (1) the contemptuous refusal by George III of the "Olive Branch" petition; (2) the formation of the state governments; (3) the establishment of a national organization; (4) the arguments embodied in the writings of Thomas Paine; and (5) the employment of the "Hessian" soldiers by the British government.

Jefferson in Congress.

In 1775 Thomas Jefferson succeeded Washington as a member of the Virginia delegation. It is not probable that he at once exerted much influence in Congress; but the petition which that body addressed to the king in July, 1775, was much bolder in tone than the preceding petition. Congress now demanded the repeal of "such statutes as more immediately distress any of your Majesty's Colonies." The king refused even to return a formal answer to this "Olive Branch" petition, as the colonists regarded it; instead he issued a proclamation denouncing the colonists as "dangerous and ill-designing men . . . who had at length proceeded to an open and avowed rebellion." As to the effect of this proclamation on the public mind, John Jay wrote, "Until after the rejection of the second petition of Congress in 1775, I never heard an American of any class or of any description express a wish for the independence of the colonies."

The "Olive Branch Petition," 1775. Frothingham's *Republic*, 435, 444–447, 451.

Effect of the king's answer.

Changes in local government.

145. The State Constitutions, 1775, 1776. — Another important step in bringing about the change in sentiment noted in the preceding section, was the necessity for making new provisions for government in the several colonies.

In some cases, as in Virginia and New Hampshire, the departure of the royal governors left the people without any government; in other cases, as in Massachusetts, resistance to the royal authorities made new arrangements necessary. In the last-named colony, a revolutionary body termed the Provincial Congress had assumed charge of the government of the province. The people, however, were restless, and those in power turned to the Continental Congress for advice. On June 9, 1775, that body voted, that as no obedience was due to the act of Parliament altering the charter of the colony of Massachusetts, nor to a governor who would not govern according to the charter, he should be considered as absent and the colonists advised to proceed under the charter without a governor "until a governor of his Majesty's appointment will consent to govern the colony according to the charter." The condition of affairs in New Hampshire was different, as that province had no charter to fall back upon: Congress, therefore, voted in her case (November, 1775), "That it be recommended to the provincial convention of New Hampshire to call a full and free representation of the people . . . [to] establish such a form of government as in their judgment will best produce the happiness of the people, and most effectually secure peace and good order in that province, during the continuance of the present dispute between Great Britain and the colonies." Both Massachusetts and New Hampshire proceeded in accordance with the advice of Congress. It will be noticed that Congress in these votes provided only for a temporary arrangement and evinced no desire for independence.

Advice of Congress, 1775.

By May of the next year, the temper of Congress and of the people had undergone a radical change. On May 15 (1776) Congress recommended "the respective assemblies and conventions of the United Colonies, where no government sufficient to the exigencies of their affairs hath been hitherto established, to adopt such a government as shall in the opinion of the representatives of the people best

Advice of Congress, 1776. *Frothingham's *Republic*, 496–498.

conduce to the happiness and safety of their constituents in particular, and of America in general." Among the first colonies to act under this suggestion was Virginia, which was at the moment governed by a convention elected by the people. It adopted (June, 1776) a constitution which consisted of three parts: a Bill of Rights by George Mason, a Declaration of Independence by Thomas Jefferson, and a Frame of Government. The first of these contains an admirable exposition of the American theory of government, equaled in that respect only by the Declaration of Independence of July, 1776, and by the Bill of Rights drawn by John Adams and prefixed to the Massachusetts constitution of 1780. The clause in the Virginia Bill of Rights declaring for freedom of religion was the earliest enunciation on that subject during the Revolutionary era; it was probably the work of Madison and Patrick Henry. None of these early constitutions was submitted to the people for ratification, with the exception of that of Massachusetts (1780), which was also drafted by a body especially chosen by the people for that purpose. The South Carolina constitution, on the other hand, was merely an act of the legislative body. Connecticut and Rhode Island proceeded under their seventeenth-century charters, with scarcely any changes at all.

Early state constitutions. *Charters and Constitutions of the United States.*

146. Organization of a General Government. — Still another thing which turned the thoughts of the colonists in the direction of independence was the establishment of a general government. The First Continental Congress (1774) resembled the Stamp Act Congress (1765) in being simply an advisory body. The Second Continental Congress was at first an advisory body; but the march of events speedily compelled it to assume and exercise sovereign powers: in June, 1775, it took charge of the general defense of the colonies, set on foot an army, and drew up regulations for its government; it established "a Committee of Correspondence with our friends abroad" (November, 1775), and from that time assumed the ex-

Authority of the Continental Congress.

clusive management of foreign affairs; it also issued paper money to provide for the payment of the soldiers and for supplying the army with provisions. In fine, it exercised in the colonies functions which, up to that time, had been performed by the British government.

The attention of the people was especially directed toward the subject of independence by the arguments set

Thomas Paine's writings.

THE

AMERICAN CRISIS,

NUMBER I.

BY THE AUTHOR OF COMMON SENSE.

THESE are the times that try men's ſouls: The ſummer ſoldier and the ſunſhine patriot will, in this criſis, ſhrink from the ſervice of his country: but he that ſtands it now, deſerves the love and thanks of

(Reprinted in *Old South Leaflets*, IV, No. 4)

forth by Thomas Paine in a remarkable pamphlet entitled *Common Sense*. In this paper, he maintained in simple and convincing language that reason dictated independence, because it was improbable that foreign nations would intervene on the side of the colonists so long as they continued to acknowledge allegiance to the king of Great Britain. Many people were still lukewarm on this matter, when the announcement reached America that the British govern-

Fiske's *Revolution*, I, 173; *Frothingham's *Republic*, 471–476; Hart's *Contemporaries*, II, No. 186.

ment was preparing to employ foreign soldiers to crush resistance in the colonies.

The Hessians. Winsor's *America*, VII, 18–24.

147. The Hessians. — In the long category of grievances which forms so striking a feature of the Declaration of Independence, is the "transporting [of] large armies of foreign mercenaries" to overwhelm the colonial forces. It was not exactly fair to call them mercenaries, as it was not the soldiers who sold their services to a foreign government, but their princely masters, for whom, indeed, the word "mercenary" is far too mild. These German veterans were hired by the British government from the Landgrave of Hesse-Cassel and other German princes. The terms of the contracts for the hiring of the men were peculiar, one of them making it more profitable for the soldiers to be killed in America than to be returned home. In all, they numbered about thirty thousand, eighteen thousand of whom arrived in 1776, mostly from Hesse-Cassel; for this reason they were generally known as Hessians. To the British authorities there seemed nothing peculiar in employing them: the British king was a German prince, although he himself had been born in England; in the continental wars in which Great Britain had borne a part in the preceding half century, it had always been customary to hire German troops. The only difference between the two cases was that there the soldiers were employed to fight against their own flesh and blood, sometimes soldiers from the same state being loaned to both sides; now, however, they were used by the British government to kill English people who happened to live beyond the ocean. This difference, however, was a great one and the opposition in Parliament endeavored to convince the government of the danger of employing them, but in vain: the acquisition of a body of splendid troops at a low rate was viewed by the mass of Englishmen with rejoicing. They were good soldiers, better suited perhaps to the cultivated lands of Europe than to the wilderness of America, but they rendered good service from a military point of view. From

a political point of view, however, their employment was a terrible blunder. Thousands of colonists who had hesitated about consenting to independence were now convinced of the necessity of that measure; tens of thousands were converted to the necessity of the policy which culminated in the French alliance: the king had called the Germans to his aid, why should not the colonists accept the help proffered by their ancient enemies, the French? In short, by June, 1776, the radical party in the colonies was prepared to advocate separation from the home land.

148. The Declaration of Independence. — The Virginia convention took the lead in this movement and (May, 1776) instructed its delegates in Congress to propose a declaration of independence. In compliance with these instructions, on June 7, Richard Henry Lee, the chairman of the Virginia delegation, moved three resolutions, of which the first is here given in full: "That these United Colonies are, and of right ought to be, free and independent states, that they are absolved from all allegiance to the British crown, and that all political connection between them and the state of Great Britain is, and ought to be, totally dissolved." The other resolutions provided for the formation of a confederation between the new states and for the establishment of alliances with foreign powers.

Lee's resolutions, June, 1776.

The first resolution was briefly debated at the time; but it was plain that many members were not then willing to vote in favor of it, either because they had not made up their own minds on the subject, or because they did not know how their constituents viewed the matter; its further consideration was therefore postponed until July 1. Meantime a committee, composed of Thomas Jefferson, Benjamin Franklin, John Adams, Roger Sherman, and Robert R. Livingston, was appointed to draft a declaration for consideration in case the resolution should be adopted. Jefferson's *Summary View* and Virginia *Declaration of Independence* clearly marked him out as the person most fitted to formulate the ideas which were then uppermost

The Declaration of Independence. Higginson's *Larger History*, ch. xi; Fiske's *Revolution*, I, 191–197; Schouler's *Jefferson*; *Frothingham's *Republic*, 532–558.

We hold these truths to be self-evident, ~~sacred & undeniable~~, that all men are created equal, ~~& independant~~; that they are endowed by their creator with ~~certain~~ ~~inherent~~ & ~~inalienable~~ rights, that among these are ~~the preservation of~~ life, & liberty, & the pursuit of happiness; that to secure these rights, ~~ends~~, governments are instituted among men, deriving their just powers from the consent of the governed; that whenever any form of government becomes destructive of these ends, it is the right of the people to alter or to abolish it, & to institute new government, laying it's foundation on such principles & organising it's powers in such form, as to them shall seem most likely to effect their safety & happiness. prudence indeed will dictate that governments long established should not be changed for

The Declaration of Independence

Facsimile of Jefferson's original draft

in the minds of the radicals. Without reference "to book or pamphlet," he wrote out the rough draft of the Declaration. "I did not consider it as any part of my charge to invent new ideas altogether, and to offer no sentiment which had never been expressed before." In point of fact, there are no ideas in the Declaration which had not long been in print. The first part of it is an exposition of the political theories which underlie the American system of government; these were gathered by the men of the Revolution, from Otis to Jefferson, mainly from John Locke's immortal *Essay on Government.* Jefferson was so familiar with Locke's essay, that in some cases he repeated the actual words of the great philosopher, as, for example, in the sentence, "But when a long train of abuses." The idea of the natural equality of man was taken directly from Locke and has no relation to the French school of philosophy. The student should be especially careful to guard against one of the common errors in American history, that the Declaration declares men to be free and equal, as there is no such statement in the document; the words are: "All men are created equal." The rough draft, as it came from Jefferson's pen, contained a strong statement against the slave trade. The phraseology was carefully revised by Franklin and Adams and the other members of the committee, and reported to Congress on June 28. On July 1, Lee's first resolution was taken from the table and debated at length. In the discussion which followed, it was defended by John Adams, while the arguments on the other side were ably stated by John Dickinson, who, sturdy patriot that he was, could not bring himself to acquiesce in independence. On July 2 the resolution was adopted, all the states voting in the affirmative save New York, and within a couple of weeks her delegates were instructed to assent to it. The Declaration, as reported by the committee, was then taken up, carefully considered, and greatly improved in many respects; but the clause denouncing the slave trade was struck out. Notwithstanding all these alterations, the Decla-

Portions to be memorized. *Guide*, § 47 h.

Debate on Lee's first resolution.

Adoption of the Declaration, July 4, 1776.

ration as adopted on July 4 was substantially, with the exception above noted, as it was written by Jefferson. It was then referred back to the committee, that the language of the amendments and of the original might be made harmonious. A few copies were printed and published on July 5, authenticated with the signatures of the president and secretary of Congress. Subsequently (August 2, 1776), the Declaration, engrossed on parchment, was signed by the members of Congress present at the time of the signing, and two signatures were added later. The story of the document has been related at length because there is no more curious misconception in American history than the one which attributes the signing of the Declaration of Independence to July 4: the way in which the error arose can be discovered by reading Judge Chamberlain's scholarly essay upon the subject. The greater part of the Declaration is taken up with the enumeration of a "long train of abuses," which justified the colonists in renouncing allegiance to the British crown; a careful study of that portion of the document would in itself give an insight into the history of America during the first three quarters of the eighteenth century.

Signing of the Declaration, August 2, 1776. *Winsor's *America*, VI, 268.

*Massachusetts Historical Society *Proceedings*, 1884, p. 273.

Struggle for the Hudson. Winsor's *America*, VI, 275–291; Fiske's *Revolution*, I, 200–228.

149. Campaign of 1776. — The scene of conflict was now transferred to New York. Sir William Howe, the new British commander, was able to bring into the field about twice as many men as Washington could muster for the defense of that important seaport. The Americans were gradually forced backward until they were divided into two bodies, — one in the Hudson valley, north of New York, barring the further progress of the British up the river, the other on the western side of the Delaware, guarding the crossings of that important stream. The British army occupied the intervening region. This was the darkest hour of the Revolution: the American army was rapidly dwindling away; poverty was staring Congress in the face, and the forces of the king, abundantly supplied with all that was necessary for their comfort, were flushed with victory.

In these circumstances, Washington conceived and executed a movement which in its conception and in its execution showed the highest military skill. At Trenton, on the eastern bank of the Delaware, was a British outpost of about one thousand men, mostly Hessians. Crossing the Delaware on Christmas night (1776), Washington surprised and captured nearly the whole detachment. Cornwallis, with a strong force, was immediately sent against him; but Washington gained his rear, and, after a sharp engagement at Princeton, went into camp on the hills of New Jersey. His presence there compelled the British to abandon nearly all their outposts in that state, and to concentrate their forces within reach of support from New York.

Trenton. Winsor's *America*, VI, 370–379; Fiske's *Revolution*, I, 229–238.

150. Campaign of 1777. — The British plan of campaign for 1777 included two separate movements, — the capture of Philadelphia and the isolation of New England by the occupation of the line of the Hudson River and Lake Champlain. The first part of this plan, which was entirely unjustifiable from a military point of view, was successfully accomplished: Howe, with the greater part of the main British army, sailed from New York to the Chesapeake, marched overland to the Delaware, and, after an action at Brandywine Creek, compelled Washington to retire up the Schuylkill. The British then occupied Philadelphia and captured the forts below the city. Washington, on his part, attacked a portion of the British army at Germantown, near Philadelphia, but was compelled to retire. The withdrawal of so many soldiers from New York left Clinton, who commanded there, too weak to afford effective assistance in the operations intended to separate New England from the rest of the continent.

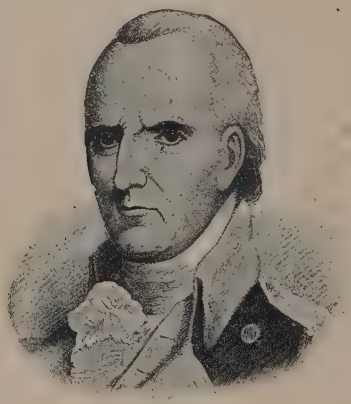
Plan of campaign, 1777.

Capture of Philadelphia, 1777. Winsor's *America*, VI, 380–393; Fiske's *Revolution*, I, 299–308, 312–324.

The command of the army which was designed to accomplish this task was intrusted to Burgoyne. The attempt was probably foredoomed to failure: the weakness of the British force at New York enabled the Americans to concentrate their strength against Burgoyne, and Sir Guy

Burgoyne's campaign. Winsor's *America*, VI, 291–314; Fiske's *Revolution*, I, 260–298, 308–311, 324–337.

Carleton, the British governor in Canada, nettled at not having the command of this expedition, did not give Burgoyne the effective assistance he might have afforded. At first, however, Burgoyne enjoyed a gleam of success: he met with slight opposition from the Americans on Lake Champlain, as they abandoned Ticonderoga without striking a blow. When he began his march across the portage between Lakes Champlain and George and the Hudson River, his misfortunes began: General Schuyler had done everything in his power to delay the British advance by felling trees across the paths and filling up the creeks; it took Burgoyne fifty days to march seventy-five miles; the delay was of the utmost importance to the Americans, as it gave the New England militiamen time to leave their homes and gather on the line of the British advance. Schuyler was then dismissed for political reasons, and the command given to Horatio Gates. Disasters now crowded fast on Burgoyne: Stark with men from western Massachusetts and New Hampshire overwhelmed a detachment sent to seize supplies at Bennington; and St. Leger, marching to Burgoyne's aid from Canada by the line of the Mohawk, was obliged to turn back. On September 19 the British army, advancing southward on the west bank of the Hudson, encountered a strong force of Americans under Arnold and Morgan at a clearing in the forest known as Freeman's Farm. After a fierce encounter, Arnold retired to the main body of the American



General Stark

THE
REVOLUTIONARY WAR
IN THE NORTH
BORMAY & CO., N.Y.
LAKE ONTARIO
L. ERIE
Fort Niagara
Ft. Oswego
Ft. Schuyler
Oriskany
Saratoga
Albany
CATSKILL MTS.
Crown Point
Ticonderoga
Lake Champlain
VERMONT
NEW HAMPSHIRE
TO MASSACHUSETTS
Portland (Falmouth)
Bennington
Lexington
Concord
Salem
Charlestown
Boston
Cambridge
C. Cod
MASSACHUSETTS
Providence
RHODE ID.
Hartford
CONNECTICUT
New London
Newport
Buzzards Bay
New Haven
Long Island Sound
LONG I.
Brooklyn
STATEN I.
Monmouth
Trenton
Princeton
Valley Forge
Philadelphia
Morristown
New York
NEW JERSEY
West Point
Wyoming
Susquehanna
Delaware
Hudson River
Connecticut River
PENNSYLVANIA
Allegheny
Ft. Pitt (Pittsburg)
York
Brandywine Cr.
Elkton
Baltimore
Annapolis
Mt. Vernon
MARYLAND
DELAWARE
Delaware Bay
W. VIRGINIA
VIRGINIA
Potomac R.
ATLANTIC OCEAN
44°
42°
40°
78°
76°
74°
72°
70°

army on Bemis Heights, and Burgoyne threw up entrenchments where he was. On October 7 the Americans attacked him, one party under Arnold penetrating to the center of the British position. Unable to advance, and suffering for provisions, the British endeavored to make their way back to Canada. When they again reached the crossing-place of the Hudson, a strong force of Americans was found posted on the eastern bank. Further retreat was impossible; no aid could reach them from New York, and the British laid down their arms (October 17, 1777).

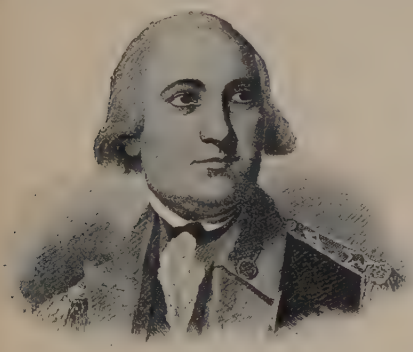
The Saratoga Convention, 1777. *Winsor's *America*, VI, 317–323; Fiske's *Revolution*, I, 339–344.

The terms of their surrender were embodied in an agreement or convention, known as the Saratoga Convention. According to this, the British troops were to march to Boston and there embark on transports, to be furnished by the British government, on condition that they should not again serve in North America until exchanged. This agreement was most disadvantageous for the Americans, since the soldiers might be, and probably would be, used in Europe against allies, as the French, who might come to the colonists' aid, or they could be stationed in garrisons in the British Isles, and the soldiers already in those garrisons transferred to America. This convention should never have been made, but once having been concluded, should have been carried out. Congress, however, seized the first opportunity to avoid giving up the captured soldiers, and the British on their side did not keep to the spirit of the agreement: public property, which rightfully belonged to the captors, was not given up, and Burgoyne uttered some rash words to the effect that the convention had been broken by the Americans. The Americans understood that the British government would not regard the convention as binding. After a winter passed in the vicinity of Boston, the "convention troops" were marched to the interior of Pennsylvania and Virginia and remained there during the war.

151. The Conway Cabal, 1777, 1778. — One of the earliest results of the capture of Burgoyne's army was an attempt

to displace Washington, with a view to the appointment of Gates in his stead. At the present time, few Americans doubt the pre-eminent qualities of Washington; to foreigners as well, he stands foremost as the embodiment of patriotism, common sense, and honesty; and his campaigns attest his military capacity. To many men of the Revolutionary epoch, he did not appear in so favorable a light. Disaffected officers and suspicious members of Congress united to disparage his actions. They naturally gathered to Gates as their chosen leader, and he was weak enough to listen to their advances. The matter soon came to the knowledge of Washington, and that was the end of it. This dark intrigue, known as the Conway Cabal from one of the leading actors in it, is well worth studying by all those who desire to see under the surface of the Revolutionary period, to discover the sordid nature of many acts of so-called patriotism, and to view many of the Revolutionary heroes as they really were.

Conspiracy to displace Washington. Fiske's *Revolution*, II, 32–43. Sparks's *Washington's Writings*, V, app. vi; Lodge's *Washington*, I, 210–220.



Steuben

In point of fact, the winter following the victory on the upper Hudson was the most critical period of the Revolution, excepting the last three months of the preceding year (1776). The sufferings of the army at Valley Forge are described in every history of that time; but it is only from Washington's own words that an adequate idea of them can be gathered: "To see men without clothes to cover their nakedness, without blankets to lie on, without shoes (for the want of which their marches might be traced

The winter at Valley Forge, 1777–78. Fiske's *Revolution*, II, 25–32, 51–56.

by the blood from their feet) . . . is a proof of patience and obedience which, in my opinion, can scarce be paralleled." And again: "For some days there has been little less than a famine in camp. A part of the army has been a week without any kind of flesh. . . . Naked and starving as they are, we cannot enough admire the incomparable patience and fidelity of the soldiery." At one time, no fewer than two thousand eight hundred men were unfit for duty for want of shoes or clothing; the terrible sufferings of those months knit the soldiers together into one compact army. During that winter, also, Baron Steuben, a Prussian veteran, drilled them so admirably that when they again took the field, the troops of the Continental Line, as the more permanent organizations were called, were as good as any to be found in the world.

The "Lost Million." Winsor's *America*, VII, 26–34.

152. The French Alliance, 1778. — Commissioners from the United States had been at Paris since 1776; they were Silas Deane, Arthur Lee, and Benjamin Franklin, to mention them in the order of their arrival. Deane found the French government willing to assist the Americans with arms and supplies, but it insisted that the transfer should be carried on through a fictitious Spanish firm, Hortalez et cie, whose sole partner turned out to be Caron de Beaumarchais, the writer of plays. To him the French government intrusted a large sum of money, which was to be used to evade the vigilance of the British ambassador, and to overcome the many obstacles which the authorities were obliged to place in the way of the traffic to aid in the deceit. With this exception, the business was carried on as an ordinary mercantile transaction, and Beaumarchais expected to be paid by Congress for the military materials he furnished to them. Arthur Lee, when he reached Paris, became most unreasonably jealous of Deane. He found out about the money advanced to Beaumarchais, and informed his friends in Congress that the munitions and accoutrements were the gift of the French government. Congress therefore refused to pay for them, drove Deane into bank-

ruptcy, and greatly injured Beaumarchais; the whole affair of "the lost million" was one of the most singular and least creditable episodes of the Revolution.

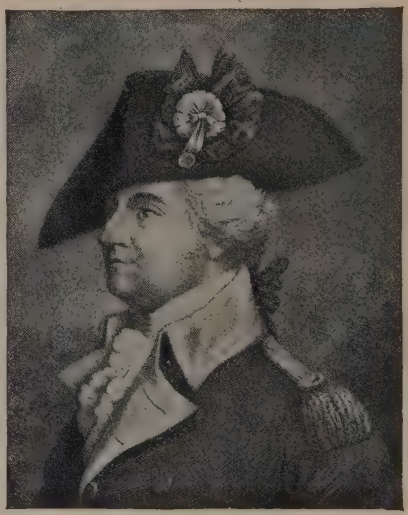
Burgoyne's surrender convinced the French that the Americans were likely to maintain their position. They were now willing to intervene openly in the dispute. Under these circumstances, negotiations were easily brought to a conclusion, and treaties of commerce and alliance between the United States and France were signed early in 1778. By the first of these treaties France acknowledged the independence of the United States and entered into commercial arrangements with the new nation. The treaty of alliance stipulated that in case war should break out between France and Great Britain in consequence of the friendly attitude of France, that country and the United States should make common cause against Great Britain, and that neither party should make a truce or peace without first obtaining the consent of the other. The two governments mutually guaranteed their possessions in America forever against all other powers and made arrangements for the division of territory which might be conquered from Great Britain outside of the limits of the United States.

Treaties with France, 1778. Winsor's *America*, VII, 43–49; Fiske's *Revolution*, II, 9.

153. Lord North's Conciliatory Proposals, 1778. — The British government at once declared war against France, and the treaty of alliance came into operation. Chatham proposed to withdraw the British armies from the United States, win back the good will of the Americans, and together wage war against France and Spain, in case the latter power should join in the contest. The king, however, would not intrust the government to Chatham, but suggested that he might take office under Lord North. That compliant minister, on his part, astonished his supporters by bringing in a new Declaratory Act, under which Parliament abandoned the right to "impose any duty, tax, or assessment whatsoever . . . only such duties as it may be expedient to impose for the regulation of commerce,

Chatham's and North's proposals, 1778. Winsor's *America*, VII, 49–52; Fiske's *Revolution*, II, 4–9, 11–24.

the net produce of such duties to be always paid and applied to and for the use of the colony in which the same shall be levied." Commissioners were appointed to negotiate with the Continental Congress on these terms. The day for halfway measures was past, and nothing came of the attempt. The war continued, but from this time on the British assumed the defensive in the Northern states.



General Wayne

Battle of Monmouth, 1778; treason of Charles Lee. Winsor's *America*, VI, 397–400; Fiske's *Revolution*, II, 58–72.

154. Treason of Charles Lee, 1778. — The first military result to flow from the French alliance was the withdrawal of the British army from Philadelphia across the Jerseys to New York. Washington determined to strike the British while on the march, should a favorable opportunity occur. The command of the attacking force he intended to confide to Lafayette, who, young as he was, had shown marked military ability. Unfortunately, Charles Lee, a renegade Englishman, who had been captured by the British in 1776, returned from captivity in time to claim the command of the advance by right of seniority. The Americans overtook the British army near Monmouth; Lee lost control of his men and withdrew them in disorder. At that moment Washington reached the front, saved the army, and assumed so threatening an attitude that Howe's successor, Sir Henry Clinton, without waiting for daylight, resumed his march "by the light of the moon," — to use his own

phrase. Lee was tried by court-martial and dismissed from the army; there is now little question that he had entered into treasonable communications with the British authorities.

Monmouth was the last important engagement in the North; thenceforward the British contented themselves with plundering expeditions, whose only result was to keep alive a keen sense of injury on the part of the Americans. The latter, on their side, performed one brilliant exploit,— the capture of a British stronghold, Stony Point, on the Hudson. The movement was carefully planned by Washington and splendidly executed by the Light Infantry of the Line under Anthony Wayne, one of the most dashing commanders of the war.

Wayne's assault on Stony Point.

155. Arnold's Treason, 1779–80. — Benedict Arnold, the hero of Quebec and Saratoga, was careless of money and given to lavish expenditure. Although the ablest leader of a division on the American side, his habits aroused the distrust of Congress, and other men of less ability and less experience were promoted over his head. Washington exerted all his influence in Arnold's favor, and as soon as a wound received at Saratoga permitted, he was given the command at Philadelphia. There he became acquainted with many persons who were hostile to the American cause, and misused his official position for purposes of private gain. He was tried, convicted, and sentenced to be reprimanded by Washington. In performing this unpleasant duty, the commander in chief said: "Our profession is the chastest of all; even the shadow of a fault tarnishes the lustre of our finest achievements. . . . I reprimand you for having forgotten that in proportion as you have rendered yourself formidable to our enemies, you should have been guarded and temperate in your deportment towards your fellow-citizens. Exhibit anew those noble qualities which have placed you on the list of our most valued commanders. I will myself furnish you . . . with opportunities of regaining the esteem of your coun-

Benedict Arnold. *Winsor's *America*, VI, 447–468; Fiske's *Revolution*, II, ch. xiv.

try." To enable him to do this, Washington appointed Arnold commander of West Point, the most important station of the Americans on the Hudson.

André captured, 1780.

Arnold already had been in correspondence with the British authorities, and probably he asked for this command that he might have something of value to betray to his new employers. At all events, the negotiations went on apace until the capture of John André, the British agent in the affair, disclosed all. Arnold escaped to New York and received his promised reward of office and money, although he had not performed his part of the nefarious bargain. After the close of the war, he lived in England, one of the most despised men in the world.

Lafayette

His trial. Chandler's *Criminal Trials*, II, 157–265; Winsor's *America*, VI, 467, 468.

Far more interesting is the discussion which has arisen over the execution of John André. To understand his career, the student should compare his motives and his actions with those of Nathan Hale, a noble American, whom the British hanged as a spy, or with those of two young foreigners, Alexander Hamilton and the Marquis de Lafayette. André was an agreeable young man who knowingly placed himself in the position of a spy, and suffered the penalty of death without flinching, as hundreds of men have suffered before and since. There was nothing remarkable in his career; it was only by a bold stretch of the imagination that one could have held him worthy a place in Westminster Abbey, among the heroes of the English

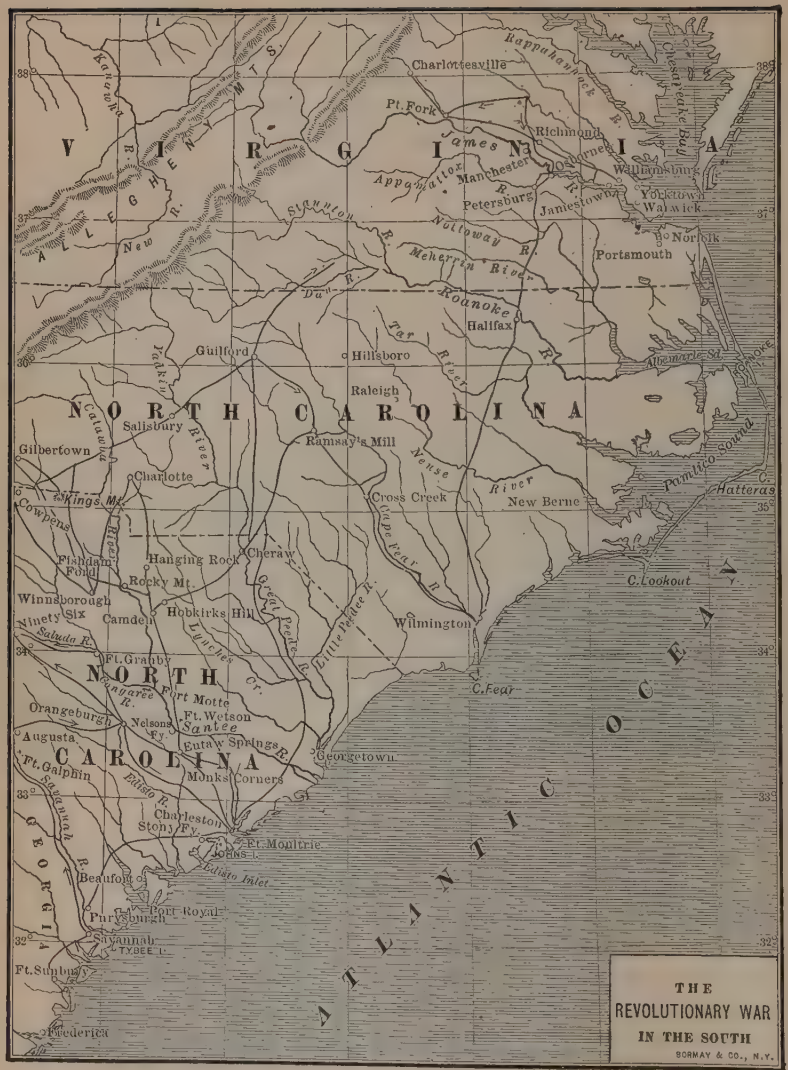
race; and nothing save the sickliest sentimentalism could have induced an American to erect a monument to his memory on American soil. After his capture, André's status was examined by a very competent Court of Inquiry, presided over by Nathanael Greene; among its members were Steuben, a Prussian veteran, and Lafayette, a general officer in the French army. It is idle to contend that their

Birthplace of Nathan Hale

finding was not sound. André passed the American lines in disguise, under an assumed name, with papers betraying military secrets concealed in his boots. He had a pass from Arnold, giving safe conduct to John Anderson; the document was conceived in fraud, was used for a fraudulent purpose, and could not for a moment have protected André against Arnold's commanding officer.

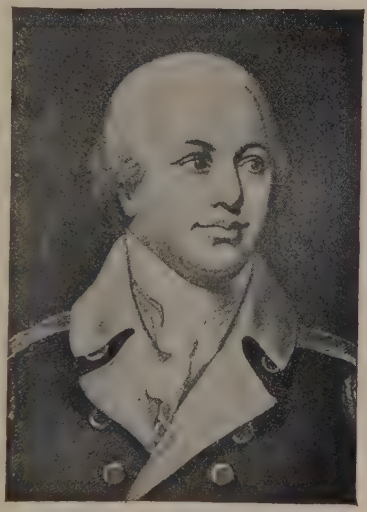
The war in the South, 1776–82. Winsor's

156. The Southern Campaigns, 1776–81. — The British had early directed their attention to the conquest of the South. In the winter of 1776, while the siege of Boston


THE
REVOLUTIONARY WAR
IN THE SOUTH
BORMAY & CO., N.Y.
VIRGINIA
NORTH CAROLINA
NORTH CAROLINA
GEORGIA
ATLANTIC OCEAN
ALLEGHENY MTS.
Charlottesville
Pt. Fork
Richmond
Osborne
Williamsburg
Manchester
Petersburg
Jamestown
Yorktown
Warwick
Norfolk
Portsmouth
Rappahannock R.
Chesapeake Bay
James R.
Appomattox R.
Nottoway R.
Meherrin River
Staunton R.
Roanoke R.
Halifax
Tar River
Albemarle Sd.
Guilford
Hillsboro
Raleigh
Salisbury
Ramsay's Mill
Gilbertown
Charlotte
Kings Mt.
Cowpens
Cross Creek
New Berne
Pamlico Sound
C. Hatteras
Cape Fear R.
Cheraw
Hanging Rock
Fishdam Ford
Rocky Mt.
Winnsborough
Ninety Six
Camden
Hobkirks Hill
Great Peede R.
Little Peedee R.
Wilmington
C. Lookout
C. Fear
Saluda R.
Ft. Granby
Fort Motte
Orangeburg
Nelsons Fy.
Ft. Wetson
Santee
Augusta
Eutaw Springs
Georgetown
Ft. Galphin
Monks Corners
Edisto R.
Charleston
Stony Fy.
Ft. Moultrie
Johns I.
Edisto Inlet
Beaufort
Port Royal
Purysburgh
Savannah
TYBEE I.
Ft. Sunbury
Frederica
Kanawha R.
New R.
Yadkin River
Catawba River
Lynches Cr.
Saluda R.
Savannah R.
Dan R.
Neuse River
38°
37°
36°
35°
34°
33°
32°

was still in progress, Sir Henry Clinton and Admiral Parker had led an expedition to the conquest of Charleston. Their ignominious failure and the conflict in the North had diverted the British from any further attempts in that direction, until toward the close of 1778, by which time they seem to have become convinced that the South would offer less resistance to invasion than had been encountered in the North. In this opinion events showed that the British were right. The Southerners were able to make slight opposition to the well-equipped forces which captured Savannah in 1778 and invaded South Carolina in 1779. Indeed, so hopeless did resistance at one time appear, that Governor Rutledge of South Carolina drew up a letter in which it was proposed that the latter state should remain neutral, leaving the contest to be decided by the other states. In 1780 Clinton again appeared before Charleston. On this occasion he captured that town, and the British, under Cornwallis, soon overran the greater part of South Carolina. At the same time, other expeditions from New York under Phillips and Arnold began the conquest of Virginia. Toward the end of 1780, Nathanael Greene assumed direction of the defense of the South: by a series of remarkable campaigns, he compelled the British to yield up the greater portion of the Carolinas and Georgia and to retire to Charleston and Savannah. These results were

America, VI, 168–172, and ch. vi; Fiske's *Revolution*, II, ch. xiii, and ch. xv to p. 268.



General Greene

accomplished by Greene with a handful of trained soldiers of the Continental Line and large bodies of militia. The leading events of these campaigns in the southernmost colonies were Clinton's attack on Charleston (1776), the capture of Savannah (1779), the capture of Charleston (1780), Gates's defeat at Camden (1780), the battle of King's Mountain (1780), Morgan's remarkable defeat of Tarleton at the Cowpens (1781), the battle of Guilford Court House (1781), Hobkirk's Hill (1781), the siege of Ninety-six (1781), and the battle of Eutaw Springs (1781).

Cornwallis in Virginia, 1781. Winsor's *America*, VI, 496–500; Fiske's *Revolution*, II, 268–272.

157. The Yorktown Campaign, 1781. — After the battle of Guilford Court House, Lord Cornwallis appears to have come to the conclusion that the permanent conquest of the Carolinas was impossible as long as Virginia was in the hands of the Americans and able to send men and supplies to the Southern armies. He may also have regarded the continuous occupation of the Carolinas as impracticable with the means at his disposal and may have marched northward to be within easier reach of reinforcements from New York. At all events, he marched northward to Virginia from Wilmington, whither he had repaired after his unavailing contest with Greene. In Virginia he found a small British force under Phillips and Arnold; the former died almost immediately, the latter he sent to New York. Lafayette was also in Virginia with a small but highly efficient body of men, one of the divisions of Light Infantry of the Continental Line. He had originally been ordered to that region in the hope of entrapping Arnold; now, he and Cornwallis marched up and down Virginia until Cornwallis went into quarters at Portsmouth for the summer; later, he removed his army to Yorktown, in obedience, as he supposed, to the orders of Clinton.

Up to this time, the co-operation with France had produced slight effect upon the contest beyond diverting the attention of the British from America, and securing the evacuation of Philadelphia. A French force under Rochambeau had reached America in the summer of 1780, but

Siege and capture of Yorktown, 1781. Winsor's *America*, VI, 500–507; Fiske's *Revolution*, II, 273–290.

it had been neutralized by the necessity of remaining at Newport, the place of debarkation, to protect the vessels which brought it over from a British fleet that had immediately blockaded them. In the summer of 1781, De Grasse, the commander of the French fleet in the West Indies, sent word that he would sail northward during the hurricane season and reach the Chesapeake in September; his stay would be limited to a few weeks, and he hoped that something substantial might be accomplished; he refused to try to cross the bar off New York, and added that he would bring a division of the French army from the West Indies. Washington had long desired to capture New York, but De Grasse's refusal to attempt the entrance of the harbor forbade that; on the other hand, Cornwallis had placed himself in such a situation that his capture would be nearly certain with the overwhelming force at Washington's disposal, should all go well. Everything worked for the American cause: Rodney, the British admiral in the West Indies, on bad terms with Clinton and interested in the plunder of St. Eustatius, instead of following De Grasse, sent a division of his fleet; the French army at Newport joined Washington at New York, and the march was so well managed that Clinton believed the threatened siege of New York to be actually begun, when in reality the allies were crossing the Delaware on their way southward. De Grasse reached the Chesapeake at the appointed time, fought an action with the British fleet which compelled the latter's return to New York, and again entered the Chesapeake, to find the French vessels which had escaped from Newport safely riding at anchor. Besieged by more than twice his own numbers, and cut off from succor from New York, Cornwallis, after a gallant defense, surrendered on October 19, 1781. This royal disaster closed military operations on the continent.

158. **Naval Warfare.** — An eminent writer has stated that as many Americans were engaged in fighting for their country's independence on the water as on the land. The

The war on the water. Winsor's *America*, VI, ch. vii; Fiske's *Revolution*, II, ch. xii; Maclay's *Navy*, I, 34–151.

authority for this statement is not altogether clear; but it is certain that the part played by American seamen in the conflict has been too little studied and appreciated by our historical writers. The navies of the separate states and of the United States performed many most important services in the cause of liberty; but where so much obscurity exists, it is difficult to mention the names of particular individuals without doing injustice to other less well-known but equally deserving sea fighters. Among those whose exploits are recorded with tolerable certainty are Manly, of the Massachusetts navy, Wickes, who first carried the national flag across the Atlantic, Paul Jones, who captured the British ship *Serapis* after a most gallant fight, Commodore Hopkins, and Commodore Tucker. More important than the achievements of these men of the regular navies, were those of the privateers, who pursued their hazardous calling with great success, and materially affected the rates of insurance on British merchant vessels.

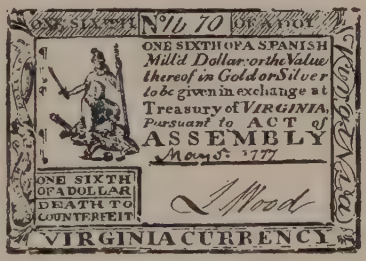
Difficulty in securing soldiers. Fiske's *Revolution*, I, 242–248; *Critical Period*, 101–103.

159. Congress and the Army, 1775–82. — From the outset there was always great difficulty in securing the requisite number of soldiers and in keeping up a disciplined force: the people were usually ready to turn out for a few weeks at a time; but enlistments for a term of years were hard to obtain, and the new recruits were undisciplined and not to be relied upon in action. One army had been disbanded and another formed while the siege of Boston was in progress. Washington was most inadequately supplied with soldiers during the campaign of 1776; but in the closing months of that year Congress reluctantly authorized the formation of a permanent force, — the Continental Line. It most unwisely left the recruiting of the soldiers, and even the appointment of the regimental officers, to the several states. The inevitable result was that the quotas of some states were never filled, and many of the officers were most inefficient, — were not "fit to be shoeblacks," to use Washington's own words. Once organized and drilled, the soldiers of the Line became a splendid force,

able to encounter successfully their own number of the veterans of Great Britain or of Germany. Then began an arduous struggle to see that justice was done to them.

Dislike of a regular army.

The people entertained an unreasonable jealousy of a permanent military force, and the feeling found full representation in Congress. Washington protested against it with all the arguments suggested to him by the necessities of the situation. "In other countries," he wrote at one time, "the prejudice against standing armies exists only in time of peace, and this because the troops are a distinct body from its citizens . . . it is our policy to be prejudiced against them in time of war, though they are citizens." The soldiers suffered every hardship, were half-starved for long periods of time, were ill provided with clothing, and were always inadequately paid, sometimes not paid at all for months. The officers' expenses constantly exceeded their incomes, and their families at home were left in great destitution. At one time they threatened to resign in a body, at another the soldiers broke out into open mutiny. Washington exerted his influence to the utmost and secured from Congress a bounty for the soldiers in the shape of grants of land, and for the officers half pay for life to those who should serve until the close of the war. But the first Congress under the Articles of Confederation annulled these votes upon the unworthy pretext that nine states had not assented to the vote, as the Articles demanded, but only a majority, as had been sufficient under the rules of the Old Congress. The officers then offered to compromise for full pay for seven years. As the conclusion of the war drew near, the anxieties of the soldiers increased;



Virginia currency

Hardships of the soldiers.

for they knew that when once disbanded they would be in no position to enforce their reasonable demands.

Proposition to make Washington king. Stedman and Hutchinson, III, 152.

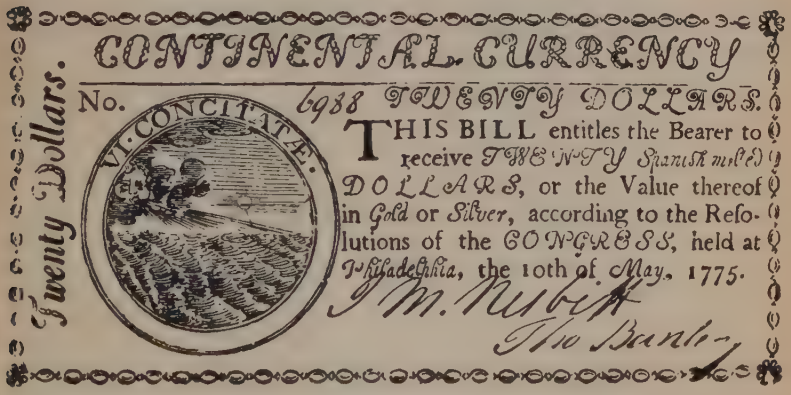
160. The Newburg Addresses, 1783. — In this condition of uncertainty, the soldiers turned to Washington, and some of the more unstable among them talked of making him king. This proposition was actually suggested to him; he spurned it in a manner which has separated him from all other successful leaders in civil strife since the days of the Roman republic. "No occurrence," he said, "in the course of the war has given me more painful sensations than your information of there being such ideas existing in the army, as you have expressed, and I must view with abhorrence and reprehend with severity."

Newburg Addresses, 1783. Fiske's *Critical Period*, 106–112.

The officers' and soldiers' pay was now years in arrears; in March, 1783, the matter came to a head. While the army was encamped at Newburg on the Hudson, an address was published anonymously, calling a meeting of officers to consider the best means to press their claims on the attention of Congress. It was written in inflammatory language, advising, among other things, that the army should not disband on the conclusion of peace unless their grievances were in the meantime redressed. Fortunately, Washington was at hand. With his customary tact, he summoned a meeting himself. Addressing the assembled officers in the most sympathetic language, he procured the abandonment of the proposed mode of action, and then he used his influence to the utmost to secure justice for those who so fully trusted him. This he was able to do with the greater effect, because he himself had steadfastly refused to receive any remuneration for his services beyond the payment of his necessary expenses. Congress voted full pay for five years in such obligations of the government as other creditors received; how much this really amounted to is not known. The hardships of the soldiers and the insufficiency of the means placed in Washington's hands for carrying on the conflict, were due in great measure to the poverty of Congress.

161. Finances of the Revolution. — At the beginning of the conflict, when enthusiasm was at its highest, the Continental Congress had not asserted the right to levy taxes: it simply called upon the several colonies and later states to pay their proportions of the general expenses. This the states as a whole had never done. Congress necessarily had recourse to the plan of issuing paper money, to be redeemed by the states, — which never did redeem it. Other

Financial affairs. Winsor's *America*, VII, 69–72; Sumner's *Robert Morris*.


CONTINENTAL CURRENCY
No. 6988 TWENTY DOLLARS.
VT. CONCILIATE.
THIS BILL entitles the Bearer to receive TWENTY Spanish milled DOLLARS, or the Value thereof in Gold or Silver, according to the Resolutions of the CONGRESS, held at Philadelphia, the 10th of May, 1775.
Twenty Dollars.

Continental currency

means of raising money were lotteries and loans, both of which brought in something, though much less than was urgently needed. Ultimately, Congress adopted the expedient of paying for supplies in loan-office certificates which bore interest, and in requiring the states to furnish specific supplies, since they would not pay money. The funds which really made it possible to continue the struggle after 1777 were obtained from foreign governments, mainly from France, and from individual capitalists in Holland.

It is easy for the historical writer of the present day to condemn the Continental Congress for not seizing the taxing power at the beginning and for issuing large quantities of practically irredeemable paper money. It should be remembered, however, that the leaders of Congress in 1775

Criticisms on the conduct of Congress.

and 1776 were among the most skillful statesmen the country has ever had; they were much better able to judge of the temper of the people than is the student of the present day, and they had to reckon with a powerful opposition in nearly every state. Moreover, the rapidly depreciating paper currency was really a species of tax; it was probably the only form of general taxation the people would have endured.

The Tories. *Winsor's *America*, VII, 185–214.

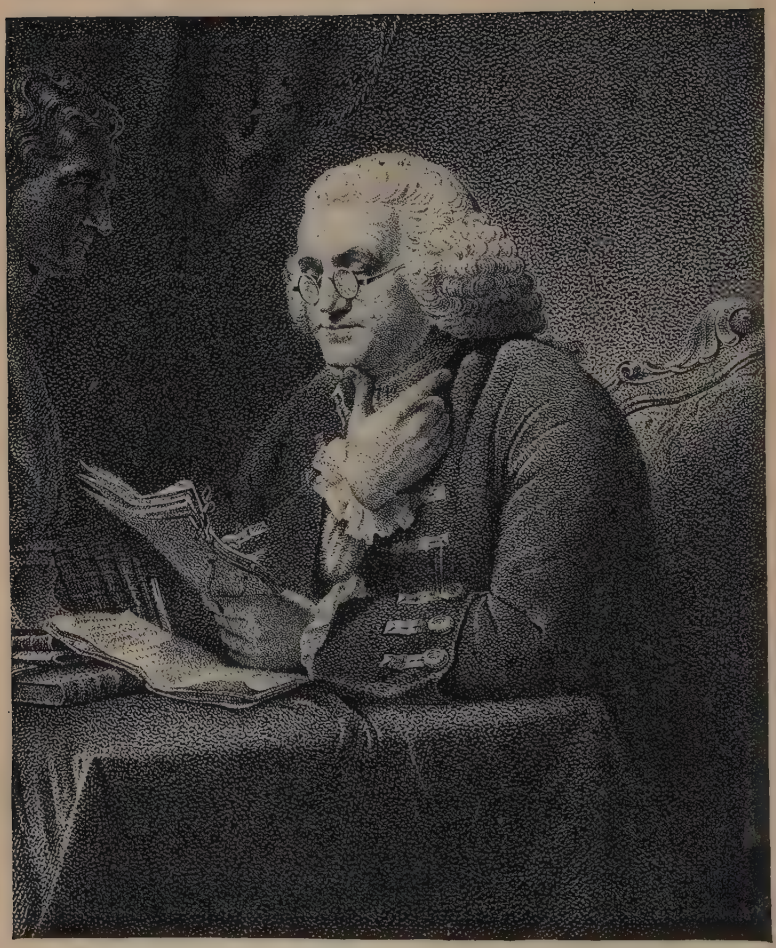
162. The Loyalists. — The Continental Congress and the several state legislatures were unable to adopt more energetic measures, owing, in part at least, to the fact that large portions of the people were either opposed to the contest with Great Britain or were half-hearted in its prosecution. The people may be considered as divided into three portions: the radicals, who supported the movement enthusiastically; and the conservatives, who opposed it as much as they could; between these two extremes was the great mass of the population, who cared little which way the matter went provided they were left in peace. As is always the case, at times of disturbance, the radicals, being the most aggressive, possessed a power and attracted attention out of all proportion to their numerical importance. It is of course impossible to state the numbers of these sections respectively or to give an accurate idea of the proportion each bore to the whole. Some very competent students believe that the radicals were in a minority: it is certain that in some parts of the country the conservative element was at least equal in point of number to the radical section and was fully as aggressive; this was the case in South Carolina, in Pennsylvania, in New York, and in portions of Massachusetts. Many loyalists fought actively on the king's side; they formed regiments, as Ferguson's Riflemen, who were destroyed at King's Mountain, and the Queen's Rangers, who accompanied Arnold to Virginia. The most celebrated of these warlike loyalists was Benjamin Thompson, a native of Massachusetts; after the war he went to Europe, became one of the most

important scientific men of the early part of the nineteenth century, and received the title of Count Rumford from the king of Bavaria; in his declining years, he remembered his native country, and founded several prizes and one professorship for the promotion of scientific objects. The active loyalists were regarded with hatred by the Revolutionary leaders: Washington stigmatized them as "detestable parricides," and words were insufficient to exhibit Franklin's detestation of these devoted adherents of the British monarch. On the other hand, a great deal of the bitterness displayed by the loyalists was the direct result of the severity with which they were treated by the radicals. Of late years, there has been a disposition to regard their loyalty with more leniency. Some students even regret the harsh measures which drove them from the country, and wish that they might have been treated as were the Southerners at the close of the Civil War; they point out that their exile deprived the country of many men of education, and are inclined to think that some of the evils which beset the nation in the course of the next few years were owing to the loss of this conservative element in its population.

The patriot leaders and the loyalists.

163. Peace Negotiations of 1782. — The disaster at Yorktown not merely brought hostilities in America to a sudden close, it also put an abrupt termination to the king's system of government in Great Britain. Lord North, who had long been anxious to leave office and had remained only from a misplaced feeling of loyalty to his royal master, now resigned and the king was obliged to summon Rockingham and the other leaders of the opposition and place the government in their hands. The two secretaries of state in the new ministry were Charles James Fox and the Earl of Shelburne. They were the real leaders of the government, and were not on good terms. Fox hated and distrusted Shelburne, and there was some ground for his dislike; the latter, indeed, was regarded by men of that time as a trickster. At all events, Shelburne seems to have been sincerely desirous of peace with America. He opened

Fall of the North Ministry, 1782. Fiske's *Critical Period*, 1–45; Stedman and Hutchinson, III, 68.



Benjamin Franklin

At the age of sixty, after a painting by Martin

communications with Dr. Franklin, whom he had known well during the latter's residence in England before the war. This, coming to the ears of Fox, confirmed his suspicions of Shelburne's fidelity and he seized the opportunity afforded by Rockingham's death to resign with his friends; then Shelburne became the head of a reconstructed ministry. Congress had appointed five commissioners to negotiate a treaty of peace. Their instructions required them to proceed in conjunction with the French government. The commissioners appointed were Dr. Franklin, then minister to France; John Jay, minister to Spain; John Adams, who had official business in Holland; Henry Laurens and Thomas Jefferson. The last did not cross the ocean and Laurens was captured on the voyage and was a prisoner in the Tower of London during the period of important negotiations. The first communications were with Dr. Franklin, who was soon joined by Jay. The former had lived long in France, had been regarded as one of the "lions" of the day, and had a firm faith in the honesty and good will of the French government. Jay's experience in Spain had led him to believe that the Bourbon powers (France and Spain) were using the American war to further their own interests, especially those of Spain. Jay thought that he had sufficient evidence to justify the conclusion that these governments were opposed to the extension of the United States beyond the Alleghanies and preferred to have the British retain the territory between the Ohio, the Great Lakes, and the Mississippi, to having it handed over to the new republic. He also thought that France was opposed to having the Americans share in the rights to the fisheries under the Treaty of Utrecht, and that Spain was similarly opposed to giving them a share in the free navigation of the Mississippi, secured to England in the treaty of 1763. Historical students are divided as to the soundness of Jay's conclusions; the best opinion, however, inclines to the belief that he was right. John Adams, when he reached Paris, agreed with Jay; the commissioners

Propositions for peace, 1782. Winsor's *America*, VII, 96–106.

Jay's suspicions of France and Spain. *Winsor's *America*, VII, 107–136.

broke their instructions and negotiated directly with Great Britain, without the knowledge of France. Seldom in the history of diplomacy have negotiations begun in doubtful circumstances been crowned with greater success; the English historian, W. E. H. Lecky, noting this, wrote: "It is impossible not to be struck with the skill, hardihood, and good fortune that marked the American negotiations."

The Preliminary Articles, 1782. Winsor's *America*, VII, 137–145.

The "Preliminary Articles" which should form a treaty when a general peace should be made between Great Britain and the United States were signed on November 30, 1782. Dr. Franklin communicated them to the French government with so many soothing assurances, that France acquiesced in them. September 3, 1783, the Definitive Treaty was signed at Paris on the same day that treaties between Great Britain and France and between Great Britain and Spain were signed at Versailles; in this manner, the terms of the alliance with France were technically complied with, but hostilities had already ceased in the preceding April between the British and the Americans. It is necessary to examine in detail the treaty between the United States and Great Britain, as on its provisions depended in great measure the relations between those powers for many years.

The Definitive Treaty, 1783. Winsor's *America*, VII, 163–165; MacDonald's *Documents*, No. 3.

164. The Treaty of Peace, 1783. — The boundaries of the new nation were to be those of the English colonies according to the treaty of 1763 and the king's Proclamation of that year (p. 117). Thus the Mississippi to the thirty-first parallel was to be the western boundary. The southern boundary was the northern boundary of the Floridas according to the Proclamation, — the thirty-first parallel, from the Mississippi to the Chattahoochee, then down that river to its junction with the Flint, thence in a straight line to the source of the St. Mary's, and thence to the sea. This was the line contained in both the Preliminary Articles and the Definitive Treaty. A separate and secret article, appended to the former, provided that in case Great Britain should win back the Floridas from Spain, which

Boundaries.

MAP OF

NORTH AMERICA,

showing the Boundaries of

THE UNITED STATES, CANADA AND THE SPANISH POSSESSIONS,

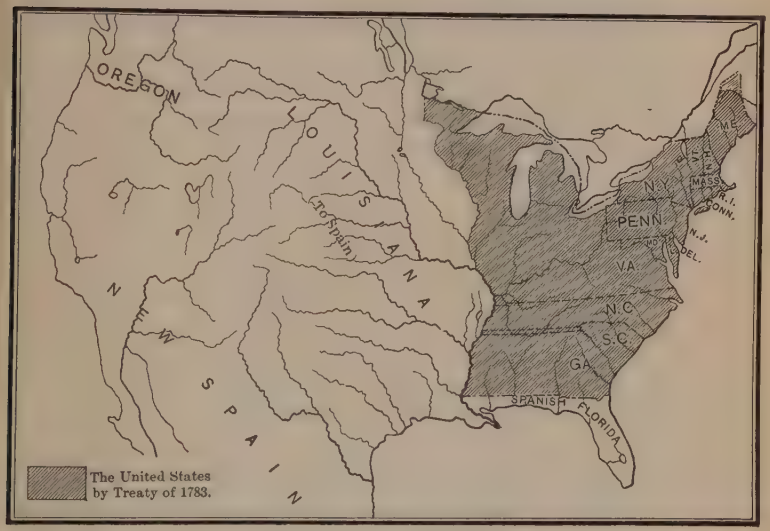
according to the proposals of the Court of France in 1782.

English ..... *Red*
United States ..... *Green*
Spanish ..... *Yellow*
Uncolored *Indian Territory under Spanish or American protection, according as it lies West or East of the Yellow intersecting line.*

Scale of English Miles
100 50 0 100 200 300

No. III. The Negotiations of 1782
From Fitzmaurice's *Life of Shelburne*

had overrun them, the southern boundary of the United States between the Mississippi and Chattahoochee rivers should be the parallel of thirty-two degrees and thirty minutes. This had been the northern boundary of West Florida in the commissions of the governors of that territory. It is important to note this because Great Britain,



The United States, 1783

as a part of the general settlement of 1783, ceded to Spain "the Floridas" without any statement of boundary. Spain argued that this gave her West Florida as it had been governed for twenty years; the United States contended that the thirty-first parallel was the southern boundary of the United States designated in the treaty of 1783 and thus limited Florida on the north. The matter was finally arranged to the satisfaction of the United States in 1795 (p. 280), but only after long and harassing disputes. The treaty of 1783 also provided that the navigation of the Mississippi River, which was then supposed to rise north

of the Great Lakes, should be free to both parties. This right had been guaranteed to Great Britain in 1763. Spain, however, tried to evade the carrying out of its obligations, and this too led to much irritation (p. 229).

The northern boundary of the United States, as far west as the St. Lawrence, was the southern boundary of Canada, according to the Proclamation of 1763 (p. 117). From the point where the forty-fifth parallel reached the St. Lawrence, it followed the channel of that river, the Great Lakes, and connecting waters to the northwest corner of the Lake of the Woods, and thence due west to the source of the Mississippi. The settlement of this line gave rise to innumerable disputes, which were not finally set at rest until 1842 (p. 412).

The loyalists. The British government had been solicitous that the United States should make some provision for the loyalists. This was a matter on which Franklin, at all events, held very decided opinions,— nor were the other commissioners willing to accede to such a proposition. They consented, however, to the insertion of a meaningless provision that Congress would "recommend" the states to pass relief acts. The recommendation was made in due course and was entirely unheeded; not only unheeded, but some states actually increased the severity of their measures against the loyalists. Parliament, however, made fairly liberal provision for their maintenance.

Debts. Another subject, and one which gave rise to many disputes later on, was what should be done as to debts owed by individuals to British creditors at the beginning of the conflict. It was finally decided that these debts should be payable at the close of the war. There was no way of enforcing these obligations until the formation of the government under the Constitution (1789); the non-observance of the treaty in this respect gave rise to much trouble (p. 277).

The fisheries. Still another difficult point was the question of the fisheries. Of course any one had the right to sail to the

banks of Newfoundland and there fish out of sight of land and far away from the limit of jurisdiction recognized by international practice. To make this fishing really valuable, as it was then carried on, it was necessary to have the right to do certain things within the limit of jurisdiction, — to secure bait, for instance, or to dry the fish on the unsettled coasts. These rights had been shared between the subjects of Great Britain and France according to the provisions of the Peace of Utrecht, and also of the later treaty of 1763. The Americans, feeling that the new settlement was in the nature of a division of the Empire, thought that the fisheries should be shared between the American and the British fishermen, as they had been shared between the subjects of King George living in America and in Britain before the war. This was certainly a great concession for Great Britain to make, but after considerable controversy it was finally included in the treaty.

165. Problems of Peace. — The United States were now independent, but the problems which confronted the American people were no less arduous of solution than the securing of their independence had been. The stress of war had failed to unite them into one nation; would the time of peace be any more fortunate? In a circular letter to the state governors (June, 1783) Washington referred to these fears in language which showed him to be not merely a military leader but a statesman as well. A few sentences from this letter, which should be read by every student, will be a fitting close to this chapter. "It is yet to be decided," he wrote, "whether the revolution must ultimately be considered as a blessing or a curse.

Washington's letter to the governors. Fiske's *Critical Period*, 53; *Old South Leaflets*, Gen. Ser. No. 15.

" . . . This is the moment to establish or ruin their [the American people's] national character for ever. . . . There should be lodged somewhere a supreme power to regulate and govern the general concerns of the Confederated republic, without which the Union cannot be of long duration."

SUGGESTIVE QUESTIONS AND TOPICS

Bring to class a topical analysis of the history of England and of France, 1775–83.

§§ 140–144. The Beginning of the Contest, 1775–76

a. Compare the strength of the combatants as to (1) material and moral resources, (2) unanimity of opinion, (3) naval and military discipline, (4) physical condition of theater of war.

b. In view of the nature of the theater of war, what military policy would commend itself to the Americans? to the British? Give examples of the defective strategy of the British.

§§ 145–148. Independence

a. What does the election of Jefferson to the Second Continental Congress prove? Give your reasons.

b. Why does the formation of the state constitutions mark an epoch in the history of the world?

c. Compare the first constitution of Virginia with the present constitution of your state.

d. Read the first and the last paragraphs of the Declaration of Independence. Did those who voted for that Declaration have in mind the formation of one nation or of thirteen nations?

e. Why has the Declaration been called the political Bible of America?

§§ 149–152, 155–159. Military Affairs

a. Describe the British plan of campaign and American resistance in 1776, in 1777, in 1778, in 1779, in 1780, and in 1781, noting in each case the strength of the opposing armies, physical condition of theater of war, results of campaigns, and qualities shown by opposing commanders.

b. State the importance of each of the following events: the Saratoga Convention, the Conway Cabal, the execution of André.

c. Sketch Greene's Southern campaigns, noting especially the part played by the Southern militia.

d. Represent upon an Outline Map the important military movements in the South from November, 1780, to November, 1781.

§§ 152, 153. The French Alliance

a. What matter in this chapter must you enter in your note-book under heading, "Important Treaties"?

b. Compare the services to the cause of independence of Washington and of Franklin.

c. Were Lord North's conciliatory proposals a total surrender of Great Britain's colonial system? Give your reasons.

§§ 160–162. Internal Affairs

a. Give historical grounds for the aversion of the Americans to a permanent army.

b. Place as heading in note-book, "Financial History," and enter under it all fitting matter as you proceed.

c. Can you suggest any moral objection to the position of the American loyalists? How do you justify Washington's and Franklin's attitude toward the loyalists?

§§ 163–165. Peace

a. Discuss the treatment of France by the United States at the time of the peace negotiations.

b. Look up Jay's previous training and character and weigh carefully the value of his conclusions as opposed to those of Franklin.

c. What claim upon the United States had the loyalists?

d. Washington's Circular Letter to the State Governors. What circumstances favorable to the political happiness of the American people does Washington enumerate? What four essentials to the existence of the United States as an independent power does he state? Quote his words which show his views about centralization of power, the right of secession, the full discharge of the national debt, pensions. What other later issues in the history of the United States are touched in this letter?

Historical Geography

a. Represent in colors upon an Outline Map the boundary provisions of the treaty of 1783, using your Map of 1763 as a basis; put also upon it in dotted line the possible boundary indicated by the "secret article" of 1782. What different boundary disputes arose over the provisions of this treaty? When and how settled? Mark the final boundaries under these agreements on this map.

b. Make any necessary changes on your maps of Territorial Possessions and on the map of your state.

General Questions

a. Carefully define the following words: state, nation, federation, confederation.

b. Compare the American Revolution with the Puritan Rebellion, with the Revolution of 1688–89, with the French Revolution, and with the Civil War.

Topics for Investigation by Individual Students

(See note under this head on p. 48.)

a. The battle of Trenton (with a plan), *Guide*, 298.
b. The battle of Bennington (with a plan), *Guide*, 299.
c. The Monmouth campaign (with a plan), *Guide*, 299.
d. Was André a spy? *Guide*, 300.
e. The battle of the Cowpens (with a plan), *Guide*, 302.
f. The Conway Cabal (189, first group).
g. Naval warfare of the Revolution, § 158.

No. IV. Territorial Acquisitions, 1783–1853

A marks portion of Maine which was abandoned in 1842, p. 438

CHAPTER VI

THE CONSTITUTION, 1783–1789

Books for Consultation

General Readings. — Johnston's *American Politics*, 3–18; Walker's *Making of the Nation*, 1–73; *Frothingham's *Rise of the Republic*, 569–610; Fiske's *Civil Government*, 186–267.

Special Accounts. — *Winsor's *America*, VII; *Von Holst's *Constitutional History*, I; Lodge's *Washington*, II; Schouler's *United States*; *McMaster's *People of the United States*, I; Fiske's *Critical Period*.

Sources. — Biographies and writings of Washington, Madison, Hamilton, Jay, Franklin, J. Adams, Gouverneur Morris, Rufus King, Mason, Henry, R. H. Lee, Gerry, for titles see *Guide*, §§ 25, 32, 33; *Journals of Congress*; *Journal of the Convention*; Madison's *Notes*; Elliot's *Debates*; *American History Leaflets*; *Old South Leaflets*.

Maps. — Hinsdale's *Old Northwest*, Nos. vi–ix; Winsor's *America*, VII, App. 1.

Bibliography. — Channing and Hart, *Guide to American History*, §§ 56 a, 56 b (General Readings), §§ 142, 149–156 (Topics and References).

Illustrative Material. — Landon's *Constitutional History*; *Tucker's *History of the United States*; Gay's *Madison*; Morse's *Franklin*; *G. T. Curtis's *History of the Constitution*, or his *Constitutional History*; *Bancroft's *History of the Constitution* or his *United States* (last revision), VI; *Story's *Commentaries*; *Thayer's *Cases on Constitutional Law*; Hamilton's *Federalist*; R. H. Lee's *Letters of a Federalist Farmer*; Scharf's *Maryland*; Cutler's *Ordinance of 1787*; Dunn's *Indiana*; Hinsdale's *Old Northwest*; Roosevelt's *Winning of the West*, III; Sumner's *Finances of the Revolution*; Pomeroy's *Constitutional Law*; Hinsdale's *American Government*; *Fiske's *American Political Ideas*, ch. ii; *American History told by Contemporaries*.

THE CONSTITUTION, 1783–1789

166. Nationalism and Particularism. — At the beginning of the Revolution it seemed as if public opinion were favor-

Feeling of nationality, 1774–76. Hart's *Contemporaries*, II, No. 153.

able to the formation of a national government. On the first day of the meeting of the Continental Congress, Patrick Henry asserted that the colonial governments were destroyed, and asked, "Where are your landmarks, your boundaries of colonies?" According to him, "The distinctions between Virginians, Pennsylvanians, New Yorkers, and New Englanders are no more; I am not a Virginian, but an American." The question of the mode of voting in Congress was then under discussion, and Henry proposed that the freemen of the several colonies should be represented according to numbers. As there was then no means of ascertaining the population of the several colonies, this proposition could not be accepted and Congress decided that each colony should have one vote, on the ground that Congress could not then determine the importance of each colony. For some time, certainly until the end of 1776, the Continental Congress occupied the most commanding position of any governmental body in America: the people of the several states asked its advice as to the regulation of their affairs and followed its recommendations (p. 177).

Tendency toward particularism.

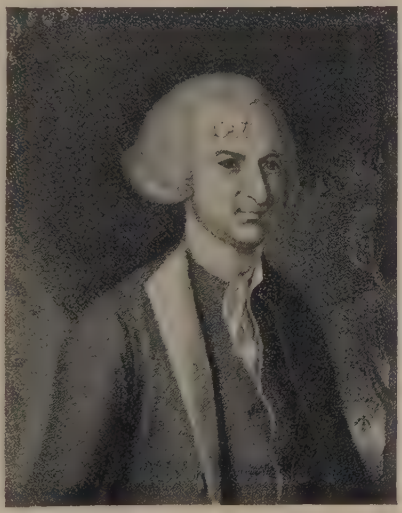
Before long, however, Congress lost much of its authority, and the state governments, once formed, rapidly gained the respect of the people. This change of sentiment was partly due to the fact that the state legislatures soon acquired the right to appoint the delegates of the state in Congress; but it was due more especially to the fact that the local legislatures were more under the control of the people than was Congress. It was in these circumstances that the Articles of Confederation were drawn up and sent to the states for ratification.

Franklin's plan. *American History Leaflets*, No. 20.

167. Formation of the Articles of Confederation. — The earliest draft of a plan for a federal union was made by Franklin, and was read in Congress on July 21, 1775. In June, 1776, Richard Henry Lee of Virginia coupled with the resolution of independence another for the formation of Articles of Confederation (p. 181). It is possible that the expectation was that the declaration and the frame of

government would form one instrument, as was later the case in Virginia. A "grand committee," consisting of one member from each colony, was appointed to devise a plan of union; it reported through its chairman, John Dickinson, in the middle of July, and its report is hence known as Dickinson's draft. The matter was discussed at intervals until November, 1777, when the Articles were adopted and sent to the states. They vary in form and language from Dickinson's draft, but resemble it very closely in all essential features. It will be well, perhaps, to note a few of the differences between Franklin's draft and the report of the committee. Franklin provided for the regulation of "general commerce" by the Congress; this was confided to the states in Dickinson's draft, except in so far as commerce was affected by treaties entered into by Congress. In Franklin's scheme representation in Congress was to be distributed among the states in proportion to their population, and each delegate was to have one vote; in the committee's report a state might send as many delegates as it chose between two and seven, but each state should have only one vote. Franklin provided for amendments by vote of a majority of the state assemblies; Dickinson required the consent of all the state legislatures to any change, and thereby made change impossible.

Articles of Confederation, adopted 1777. Fiske's *Critical Period*, 90–101; *Frothingham's *Republic*, 561–572. *American History Leaflets*, No. 20; *Old South Leaflets*, Gen. Ser. No. 2.



John Dickinson

The Articles of Confederation, and other plans of federal Union. *American History Leaflets*, Nos. 7, 8, 14, 20.

168. The Articles of Confederation. — The best, in fact the only, way to understand the new arrangement for government, and to comprehend its place in the history of the United States, is to study with care the document itself and to compare it with the Articles of Confederation of the New England colonies (p. 80) and with the Albany Plan of Union (p. 119) on the one side, and with the Constitution (p. 237) on the other. It is also very helpful, but more difficult, to study it in connection with the governmental arrangements of Great Britain after 1603, and before the Act of Union of 1707, and with the actual constitution of the kingdom after that time. During the first of these periods England and Scotland had the same king; each kingdom, however, had its own legislative body and its own system of laws; the Act of Union brought about a change in this latter regard, the two kingdoms henceforth having one legislative body and one system of laws. In the former time, for instance, the colonies, by the navigation acts, could no more trade with Scotland than they could with France; in the latter time, Scotland and England were regarded as one country as far as colonial trade was concerned. The first form of union is known as a personal union; the latter is usually termed a legislative union. Before the Revolution the colonies had denied that there was a legislative union between the several colonies and the home state. They maintained that the Union was merely a personal union through the king, to whom all owed allegiance. In their endeavor to find some means of replacing the discarded authority of Britain, they constructed a government which should have the power which they had contended belonged to the British government, and no more. Under the Confederation each state possessed its own legislative body and its own system of laws; Congress took the place of the British king and exercised very nearly the same authority that the colonists had contended belonged to that monarch. For instance, Congress could make war and conclude peace, and maintain an army and navy, but it could not tax the

The Articles compared with the Union of England and Scotland.

Analysis of the Articles. Portions to be memorized. *Guide*, § 47 i.

people of the several states, and had no power to compel obedience in a state or an individual. It turned out to be utterly impossible to carry on the central government under this system.

169. Importance of the Articles of Confederation. — The Articles are contemptible as a scheme of government; but the fact of their adoption was one of the half-dozen most important events in the history of the United States. The people of the thirteen states, who were struggling together for independence, might have formed one government or thirteen governments, or any number of governments between one and thirteen, as they saw fit; that they preferred to live bound together by even the loosest tie, showed a spirit of nationalism which was certain to lead to better results. Before condemning the men of 1776 for drawing up such an absurd scheme, it is well to remember that they had no experience to guide them: never before had a confederation of the size of the United States even been proposed; never before had any one tried to write out on paper a constitution for such a federation. The adoption of the Articles terminated one of the most serious crises in the history of the United States. The gravity of the occasion may easily be gathered from the fact that it was nearly four years ere the legislatures of the thirteen states gave their consent to the new form of government. The principal reason for this delay was the dispute which had arisen as to the disposal of the land between the Alleghanies and the Mississippi.

Gravity of the crisis, 1777–81. *Frothingham's *Republic*, 572–577.

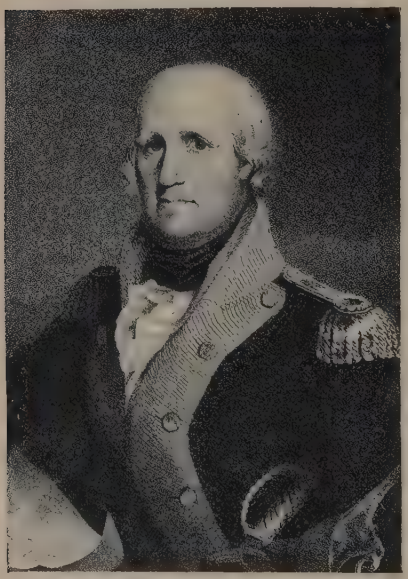
170. Claims to Western Lands. — In 1763 the king had forbidden the governors of the colonies on the seashore to grant to settlers any lands west of the Alleghanies. In 1774 Parliament had annexed all of this western territory north of the Ohio River to the province of Quebec (p. 161). In 1776, when the colonies declared themselves to be independent states, they set up their old claims to western lands regardless of king or Parliament.

Claims to western lands. Fiske's *Critical Period*, 187–195; Winsor's *America*, VII, app. i.

Under her old charter of 1629 Massachusetts claimed all lands west of the settled portions of New York, between the

Claims of the states.

parallels of points three miles north of the source of the Merrimac and three miles south of the source of the Charles. Connecticut based her claim on the charter of 1662, which had never been formally annulled. This gave her, she contended, a clear title to all lands south of the Massachusetts line as far as the latitude of New York City. The state of New York had no claim under any charter, but the Iroquois had given a deed of cession of all their lands to the governor of New York as representative of the king. This included all the western land north of the Tennessee River, as the Iroquois had pretended to exercise authority over the Indians living in this vast region. It was now urged that this cession had been made to the governor of the colony of New York, and that the state of that name succeeded to the rights which the Iroquois had once possessed. Virginia, on her part, claimed nearly the same land, under the charter of 1609, which had been annulled in 1624 (pp. 54, 57). She also contended that her soldiers, led by a Virginia officer, George Rogers Clark, and paid out of the Virginia treasury, had conquered this territory from the British (1778–79). Already colonists from Virginia had begun the occupation of the region now included in the state of Kentucky. The

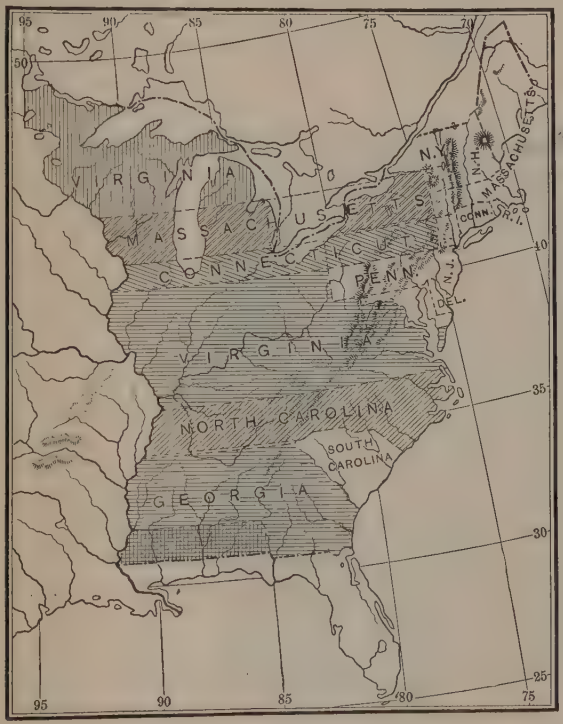


General G. R. Clark

Clark's western campaign, 1778–79. Winsor's *America*, VI, 716; Roosevelt's *Winning of the West*, II, chs. i–iii; *Old South Leaflets*, XI, Ser. No. 5.

Carolinians claimed lands south of the Virginia line and north of the parallel of the Savannah River, under the charters of 1663 and 1665 as modified by the Georgia grant of 1732 (pp. 110, 117). Georgia claimed land under the

Claims of Georgia.



Claims and Cessions

charter of 1732, which had been limited in point of time and had been surrendered to the crown in 1751. She further contended that the Proclamation of 1763, which added to her domains the land lying between the Altamaha and St. Mary's rivers (p. 117), really gave her a title to all the land south of her charter limits and north of the Floridas — as far west as the Mississippi River!

Value of these claims.

171. Value of these Claims. — It is impossible to say anything definite as to the value of these claims. It is probable that the claim of Connecticut and that of Massachusetts, as far as they rested upon the charter of 1691, would have been recognized as good in law. None of the other claims appears to have much weight; that of Virginia, by conquest, was the strongest. But the right of any one state to claim lands conquered by her troops while engaged in the Revolutionary War could not be defended on grounds of good morals, especially as Virginia had seldom fulfilled her military and financial duties to the United States.

Position of the other states.

The other states — New Hampshire, Rhode Island, New Jersey, Pennsylvania, Delaware, and Maryland — could advance no claims to western lands by grant from the king, by conquest from the British, or by cession from the Indians. They contended, however, that if this territory should come into the possession of the United States at the conclusion of peace with Great Britain, it should be used for the benefit of the people of all the United States, and not for the enrichment of the people of a few states.

Articles ratified by several states.

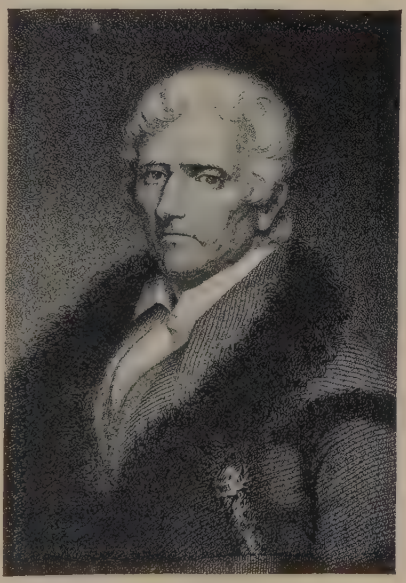
172. The Land Cessions. — The Articles of Confederation were very favorable to the interests of the smaller states: Delaware, New Jersey, and Rhode Island might justly think that they would gain more benefit under the Articles than they could hope for from the sale of their share of western lands. Pennsylvania, also, was not much interested in the question, as she still held thousands of acres of unsettled land within her borders. The case of Maryland, however, was very different: her soldiers had played a gallant part in the defense of the country, although British armies scarcely touched her soil; but she had no means, save taxation, to pay them for their services. Virginia had already set on foot a scheme to reward her soldiers by grants of western lands, and Pennsylvania might easily do the same from the lands within her borders. Maryland had no such resource; she might well ask if she were being treated with justice. She refused to ratify the

Maryland refuses to ratify.

Articles until this great wrong were redressed, and thus brought the matter to public notice. Congress declined to enter into an examination of the relative merits of the several claims, and suggested that all the claimant states should cede the lands claimed by them to the United States, to be administered in the interests of the whole people. New York led the way in making the cession as requested, and Virginia promised to do so on certain conditions. Confiding in the good will of the other claimant states, Maryland withdrew her opposition to the ratification of the Articles of Confederation (March, 1781), and they went into force not long afterwards.

Cessions by the states. *Winsor's *America*, VII, app. i.

New York.



Daniel Boone

One after another the states followed the example set by New York and transferred their claims to western lands to the United States. Virginia (1784) in making her grant reserved the jurisdiction and title to lands in Kentucky; she also retained certain lands north of the Ohio, which had already been promised to her soldiers. Massachusetts (1785) abandoned all title to lands west of Pennsylvania. Connecticut (1786) ceded the lands claimed by her, except a strip one hundred and twenty miles in length lying directly west of Pennsylvania: this was called the Connecticut or Western Reserve, and the proceeds of the lands

Virginia.

Massachusetts and Connecticut.

thus reserved were used for educational purposes in Connecticut; in 1800 she ceded her rights of jurisdiction in this tract to the United States. South Carolina (1787) abandoned her claim to a little strip twelve miles wide lying just south of North Carolina. North Carolina (1790) ceded her claim to jurisdiction over what is now Tennessee, but she had already granted away most of the land. Finally, in 1802, Georgia followed the other states, and ceded her claims to the vast tract between her present western boundary and the Mississippi River. Long before this, by the treaty of 1783, Great Britain had abandoned her right to this whole western region.

The Carolinas and Georgia.

173. The National Domain. — In suggesting that the states should transfer their claims to the United States, Congress (1780) had also proposed that the western lands should be "disposed of for the common benefit and be formed into distinct republican states, which shall become members of the federal union." Congress and the states seem to have agreed to regard this land as national property, to be used for national purposes, and its possession by the United States as a whole worked powerfully for the continuance of union. In the pre-revolutionary days, the crown had the disposal of ungranted lands within the empire; Congress regarded itself as the successor to the crown, and accordingly undertook the management of the public domain of the United States.

Policy of Congress as to western lands. Schouler's *United States*, I, 108–113.

In 1785, after the New York and Virginia cessions, but before the Massachusetts and Connecticut cessions, the Congress of the Confederation passed an ordinance, or law, for the government of the territory north and west of the Ohio River. This Ordinance provided for the ultimate formation of several new states. When formed, these states were to have republican governments and be admitted to the Confederation. The Ordinance originally contained a clause prohibiting slavery after the year 1800, in the western country north of the thirty-first parallel, but this had been omitted before the final vote; its origin may be directly traced to Jefferson. Little was done to organize the terri-

Ordinance of 1785. Fiske's *Critical Period*, 196–198; Howard's *Local Constitutional History*, 135.

tory under this Ordinance; but the cession by Connecticut (1786) again brought the matter to the attention of Congress. Meantime, a New England land and emigration society had endeavored to induce emigration to the territory, but had failed because settlers would not leave their homes in the East without direct guarantees of civil rights in the new settlements they were to found west of the Alleghanies. The society urged the matter upon Congress, which replied by passing the Ordinance of 1787, the most important piece of general legislation of the Confederation epoch.

Plan of Mr Fitch's Steam Boat

From the *Columbian Magazine*, 1786

Ordinance of 1787. Fiske's *Critical Period*, 202–207; Cooley's *Michigan*; Howard's *Local Constitutional History*, 137–142; *Old South Leaflets*, Gen. Ser. No. 13; MacDonald's *Documents*, No. 4.

This Ordinance applied only to the territory northwest of the Ohio and provided for the ultimate formation of from three to five states out of that territory; but, as a matter of fact, part of a sixth state — Minnesota — was also included in this region. In the first instance, Congress was to appoint the governor, judges, and military officers of the new territory; the governor and the judges were to possess legislative powers, subject to the veto of Congress. As soon, however, as the free male inhabitants of full age should number five thousand, they should elect delegates to a House of Representatives. This body, with a governor and

council appointed by Congress, formed the territorial Assembly; it possessed full legislative power, provided the laws were not contrary to certain conditions laid down in the Ordinance; and the Assembly could appoint a delegate to Congress, who, however, had no vote in that body. Whenever the population should increase to sixty thousand, the territory, or a portion of it, might be admitted to the Confederation on a footing of equality with the original states. Settlers in this new region were guaranteed civil rights, as, for example, the benefit of the writ of *habeas corpus*, trial by jury, bail, and moderate fines and punishments; laws impairing the obligation of prior contracts were forbidden, education was encouraged, and proper treatment of the Indians secured. The three most important provisions of the Ordinance are those which provided for the equal distribution of the property of persons dying without a will, prohibited the molestation of any person on account of religion, and forbade slavery absolutely and forever except as a punishment for crime, — with a provision for the restoration of fugitive slaves.

Importance of the Ordinance.

This Ordinance was in reality a form of constitution for colonies to be planted on the national domain: it provided for them colonial governments on terms similar to those which the colonists had claimed for themselves before 1776; it guaranteed equal rights to the settlers; and provided for their admission to full political rights as soon as their numbers justified an expensive form of government. For the first time in the history of modern times, colonists and dwellers in the home land were to regard one another as equals.

As the United States has acquired new land, territories have been organized on this model, with the omission in many cases of the clause relating to slavery. The new communities formed on the national domain have been termed territories and states. The use of these words, with the liberality of the policy outlined above, has disguised the fact that during the present century the United States has been the greatest and most successful colonizing power in the world.

The question of the power of Congress to pass this Ordinance has given rise to much discussion: southern writers generally have held that it was void and of no effect; but the matter is really of little importance, as the first Congress under the Constitution re-enacted it. The precise nature of the Ordinance has also been disputed; but usually it has been held that it was in the nature of a contract between Congress and the people of the several states, which could not be changed except with the consent of both parties to it.

Legality of the Ordinance.

174. Social Progress, 1780–89. — The liberal and enlightened provisions of the Ordinance of 1787 as to the distribution of estates, freedom of religion, and abolition of slavery were the outcome of a great social movement which began before the Revolution and continued long after it. Old barriers were everywhere swept away: in 1777 the people of Vermont, in their constitution, declared against slavery; in 1780 John Adams wrote the words of the Massachusetts Bill of Rights, which declared that "all men are born free and equal," and three years later the Massachusetts Supreme Court interpreted this clause to mean that no person could be legally held as a slave in that commonwealth; and (1780) Pennsylvania adopted a system of gradual emancipation. Indeed, when the Constitution went into effect (1788), of all the states north of Mason and Dixon's line New York and New Jersey alone had not taken measures to free the slaves within their limits. During this period (1783–89) all the states except South Carolina and Georgia had restricted or abolished the slave trade from abroad and from neighboring states.

Social progress, 1780–89. Fiske's *Critical Period*, 69–89.

Slave emancipation. Fiske's *Critical Period*, 71–76.

As to the growth of liberal ideas in the settlement of religious questions, similar progress had been made: most of the state constitutions declared for complete religious freedom; in many states, however, Roman Catholics were still excluded from office, and in Massachusetts the dissenting faiths found it practically impossible to obtain the rights which the constitution of that state seemed to allow them. Laws against the Roman Catholics, which had been on the

Growth toward religious freedom. Fiske's *Critical Period*, 76–87.

statute books of the colonies since the seventeenth century, were repealed, and the Episcopal Church was disestablished in Virginia and Maryland. The evangelical faiths were organized on a national basis, and bishops were secured by the Episcopalians, the Methodists, and the Roman Catholics.

The franchise liberalized. Fiske's *Critical Period*, 69–71.

The conditions on which the franchise was conferred were also made more liberal: many states substituted a qualification resting on the payment of a tax for the much higher property qualification of the colonial period. Laws designed to encourage the formation of great estates by giving to the eldest son of a deceased parent the whole, or the larger part, of the property were either greatly modified or entirely repealed. In fact, from the point of view of the student of the history of society, this period was one of great progress; in other respects it was the most distressful period in the nation's history.

Relations with Great Britain, 1783–89. Fiske's *Critical Period*, 119–133, 138–142.

175. Foreign Relations, 1783–89.—No sooner was peace declared, than the British merchants flooded the American markets with goods of all descriptions. These found a ready sale, for every one was looking forward to the future with hopefulness. Gold and silver were exported in large quantities to pay for these commodities. Instead of doing everything possible to place it in the power of the people of the new nation to pay for goods already bought and to continue the purchase of British commodities, the government of Great Britain enforced against them all the commercial regulations which in the earlier time had been directed against foreigners. Under the Articles of Confederation, Congress had no power to make counteracting regulations, and, having nothing to give in return, could not compel the British government even to enter into negotiations for a commercial treaty. In all this, the British government proceeded in strict accordance with its rights, although the inexpediency of its actions is clear; but in other respects, it violated the known rules of international law. The treaty of peace of 1783, for instance, required the British to evacuate all military posts held by their forces within the limits of the new states, and not to take

away private property; but the British authorities refused to hand over the posts in the northwest and declined to make compensation for slaves taken away at the time of the evacuation of Charleston and New York,—and no compensation has ever been made. On the other hand, Great Britain had ground for serious complaint against the United States: the treaty required that no legal obstacles should be placed in the way of the collection of debts contracted before the war; but the states refused to abolish existing obstacles and placed new ones in the way of the collection of debts by British creditors. Congress had no coercive power: it could only expostulate with the members of the Confederation and excuse their actions to the British government as well as it could. Under the circumstances, it is difficult to condemn the action of the British authorities in retaining the posts and the profitable fur trade which centered in them.

Weakness of Congress.

With Spain also there were several disputes: that power refused to recognize the thirty-first parallel as the southern boundary of the United States between the Mississippi and the Appalachicola rivers, and she maintained that "the Floridas" ceded to her by Great Britain in 1783 were the Floridas as they had been governed by British officials (p. 117). The Spanish government was also anxious to do away with the right of the Americans to the free navigation of the Mississippi, which now flowed for two hundred miles through Spanish territory (p. 209); but this matter did not interest any large body of the people on the Atlantic seaboard. On the other hand, there were many persons who desired commercial intercourse with Spain and with the Spanish colonies. This privilege the Spaniards were willing to grant on condition of the abandonment of the free navigation of the Mississippi. Congress therefore authorized Jay, who represented the nation in foreign affairs, to negotiate a treaty on this basis. Even Washington attached slight importance to the matter; Jefferson, however, wrote from Paris that such a policy would bring about the separation of the Eastern and the Western states. He was right, for the

Relations with Spain, 1783–89. Fiske's *Critical Period*, 208–213; Winsor's *America*, VII, 222–223.

protests from Kentucky and Tennessee became so strong that the project was abandoned. Foreign relations were in this condition when the organization of the government under the Constitution gave the United States power to make its treaties respected at home and to hamper foreign commerce by levying discriminating duties.

Depreciated paper money and "stay laws." Fiske's *Critical Period*, 162–176.

176. Financial Problems, 1783–86. — Within two years after the close of the conflict, the pressure of poverty was felt throughout the country as it had not been during the progress of the war itself: the good gold and silver pieces left the country to pay for foreign commodities, and only old, worn, and clipped pieces remained; business confidence disappeared, and in almost every state the debtor class clamored for some form of repudiation of their debts. They especially demanded the emission of paper money resting on little or no foundation save the credit of the state governments. A currency of this description was known to depreciate rapidly, and one advocate of such a plan proposed to embody a scale of depreciation in the act authorizing the printing of the bills, — a dollar to be worth four shillings on January 1, three shillings on April 1, and two shillings on July 1. In at least one state all persons were required to accept paper money issued by the state under pain of losing the right to vote and a fine of one hundred pounds. Those who owed money also demanded the enactment of laws to delay the collection of debts — stay laws, as they were termed — and "tender laws," which permitted a debtor to offer goods, at certain rates, in discharge of his debts. Most of the states, except New Hampshire, Massachusetts, and Virginia, yielded to the popular clamor and issued large quantities of paper money.

Trevett *vs.* Weeden.

The most famous legal decision of the Confederation period arose in Rhode Island out of the refusal of a butcher named Weeden to part with his meat in exchange for paper money offered in payment by a would-be purchaser. The latter, whose name was Trevett, sued Weeden, and the case was tried, without a jury, by judges who were annually

appointed by the legislature. They showed a courage worthy of the dauntless Stephen Hopkins: although entirely dependent on the legislature which had passed this act, they declared the law unconstitutional, and hence null and void. This case was one of the earliest instances in American legal history of the judicial annulment of a law on the ground of its unconstitutionality. Its importance has drawn marked attention to the financial misdoings of the Rhode Islanders; but the standard of honesty throughout the thirteen states was, at the moment, very low.

Shays's Rebellion. Fiske's *Critical Period*, 177–186; Winsor's *America*, VII, 227–231.

177. The Critical Period, 1786, 1787. — The lack of business confidence, which was mentioned in the last paragraph, was due in great part to a growing determination among the people to prevent by force the collection of debts by process of law. This led to armed conflicts in North Carolina and Massachusetts. In the latter state the rebels, led by Daniel Shays and Job Shattuck, prevented the judges from holding court in three corners of the state; at one time it seemed as if the state government might be overwhelmed. The movement was put down, but the rebels, fleeing to other states, everywhere found shelter. The crisis was so threatening that Congress began to make preparations to raise an army, — on account of an Indian war, so it was said, but really to intervene in case the insurrection assumed formidable proportions. In addition to these troubles within many of the states, relations between them were by no means harmonious.

Selfish policy of the states. Fiske's *Critical Period*, 144–154.

One of the greatest obstacles to harmony was the arrangement whereby each state managed its own commercial affairs. Many states sought to protect the interests of their own citizens, entirely regardless of the interests of other states, and, indeed, sometimes at the cost of their neighbors. For instance, New York endeavored to protect her farmers against the competition of the agriculturalists of New Jersey; and when Massachusetts proposed to pass legislation to protect her shipowners and merchants against British competition, other New England states at once took

measures to thwart her to their own advantage. By the end of 1786, it was evident that unless something were done radically to amend the Articles of Confederation, civil war would surely break out.

Attempt to amend the Articles, 1780–87. Fiske's *Critical Period*, 142, 218. *American History Leaflets*, No. 28.

178. Attempts to amend the Articles. — Before all the states had ratified the Articles of Confederation, their weakness had been recognized, and an attempt had been made to amend them. The first proposition (1781) was to give Congress the power to increase the revenues of the general government by laying duties on imports to the extent of five per cent *ad valorem*. In the course of a year, twelve states assented to the proposition; but Rhode Island refused. As the consent of all the states was necessary to an amendment (p. 217), the proposition failed of adoption. Two years later (1783), Congress suggested that it should be given power to levy duties on imports, partly specific and partly *ad valorem*, the duties to be collected by state officials appointed by Congress. Again twelve states assented to the proposed change, but this time New York declined to consent, and this proposition also fell through. In fact, all attempts to amend the Articles failed, and Congress was not able to pay even the everyday expenses of the government. The country was rapidly drifting toward civil strife, when a convention met at Philadelphia (May, 1787) to propose a series of changes in the fundamental law of the Confederation. The meeting of this convention was the result of the labors of a few men, notably of James Madison and Alexander Hamilton, and they were greatly aided by disputes which had arisen over the commercial relations of the states bordering on Chesapeake Bay.

Proposals for a constitutional convention. Fiske's *Critical Period*, 214–222.

179. Genesis of the Federal Convention. — Constitutional conventions are now part of the ordinary machinery of American government; before 1787 they were hardly known. The Massachusetts constitution of 1780 had been framed by a convention composed of delegates especially elected for that purpose, but all the other state constitutions of the Revolutionary period had been the work of legislative bodies

(p. 177), although some of them had borne the designation of conventions. The Articles of Confederation had been drafted by the Continental Congress and ratified by the state legislatures (p. 217). Thomas Paine, in *Common Sense* (p. 179), had suggested that "a continental conference be held . . . to frame a continental charter," and in a later pamphlet, entitled *Public Good*, he had advocated a revision of the Articles of Confederation; and Massachusetts, in 1785, had directed her delegates in Congress to propose a general revision of the Articles. Nothing had come of these suggestions, and the Federal Convention was due to entirely different causes.

Alexandria Convention, 1785.

The southern boundary of Maryland was the southern bank of the Potomac River (p. 61), but practically all the commerce of that river had its origin in Virginia. On the other hand, the "capes of the Chesapeake" were both in Virginia, but a very large proportion of the shipping which passed in or out of the bay was bound to Maryland, especially to Baltimore, the most thriving commercial town south of Philadelphia. The Maryland regulations for the Potomac did not please the Virginians, nor did the Marylanders at all relish the payments which Virginia assessed on all vessels passing the "capes." It happened also that the tariff policies of the two states were very dissimilar. In short, there were constant disputes about these matters. Several times attempts had been made to adjust these differences, but without success. In 1785 commissioners from Virginia and Maryland met at Alexandria and adjourned their conferences to Washington's mansion of Mount Vernon near by. The discussions of the commissioners, among whom were James Madison and George Mason, soon extended to the desirability of similar tariffs and commercial regulations for all the states interested in the navigation of Chesapeake Bay and connecting waters. In their report, they suggested the appointment of a joint commission every second year to consider these topics. The Maryland Assembly at once fell

in with the scheme, and invited Pennsylvania and Delaware to appoint commissioners. In Virginia, a fierce contest arose: it appeared that the Virginia commissioners had exceeded their instructions, which, in all probability, they had never seen, owing to a curious combination of circumstances; the matter had gone so far, however, that Virginia could hardly draw back; in the end, she proposed that commissioners from all the states should meet at Annapolis and consider the trade and commerce of the United States as a whole. The representatives of only five states appeared at the opening of this convention (1786), although others were on their way. Instead of waiting for them, and proceeding with the business for which the meeting had been summoned, the delegates present passed a resolution providing for another convention to amend the Articles of Confederation, to be held at Philadelphia in 1787. Six states, including Virginia and Pennsylvania, appointed delegates to this new convention before Congress could bring itself to approve the plan and recommend its adoption to the states. On the same day that this vote was passed, although ignorant of its passage, Massachusetts appointed her delegates, and, Congress having spoken, the other states, except Rhode Island, fell into line.

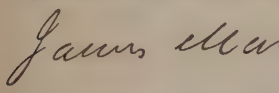
Annapolis Convention, 1786. Schouler's *United States*, I, 25–34.

Calling of the Federal Convention.

180. The Federal Convention, 1787. — When the members of the convention met for the first time at Philadelphia (May 25, 1787), it was at once apparent that, with few exceptions, the strongest men in the United States were there. New Hampshire was not represented at the beginning of the discussion, Rhode Island was not represented at all, and of the Revolutionary leaders, John Adams, Samuel Adams, John Jay, Patrick Henry, and Thomas Jefferson were not present. With these exceptions, however, the men who had shown the greatest ability in the management of affairs or in knowledge of men were there. The oldest and ablest of them was Benjamin Franklin, whose connection with the Albany Plan of Union (p. 138) and with the formation of the Articles of Confederation has already been

Delegates to the Convention. Fiske's *Critical Period*, 222–229; Schouler's *United States*, I, 39.

described; he was to recognize the critical moment and to suggest a compromise which made the adoption of the Constitution a possibility. The most prominent figure in the assemblage was George Washington, who was already "first in the hearts of his countrymen." He was chosen to preside over the convention; his name, therefore, seldom



appears in Madison's *Notes;* but just before the end he made an important suggestion, which was at once adopted by the convention. Washington and Franklin made few speeches, but, in all probability, they exerted great influence in smoothing away differences, and their presence was an inspiration to the other members. Moreover, their approval of the Constitution in its final form gave to the plan a place in the eyes of large masses of the people which it otherwise would not have had. In addition to Washington, the Virginian delegation contained George Mason, James Madison, and Edmund Randolph, and besides Franklin, Pennsylvania was represented by James Wilson, a great constitutional lawyer, Robert Morris, the financier of the Revolution, and Gouverneur Morris, to whom the Constitution mainly owes its clear and simple language. Delaware sent John Dickinson, who had reported the Articles of Confederation. Connecticut sent her veteran statesman Roger Sherman, who had served in nearly every Congress, Oliver Ellsworth, and William S. Johnson. Massachusetts was

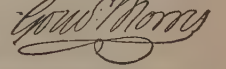
Gouverneur Morris

represented by four able and experienced men: Elbridge Gerry, Caleb Strong, Nathaniel Gorham, and Rufus King. New York sent Alexander Hamilton, New Jersey, Governor Patterson, and South Carolina was represented by the two Pinckneys and John Rutledge. These were the foremost men in that remarkable assemblage, but all the members were men of mark, of experience, and of ability.

The convention met daily, with brief adjournments to facilitate the work of committees, until September 17, when it finally adjourned. Its discussions were secret, and it was not until long afterwards, when Madison's *Notes* were printed, that the difficulties which surrounded its deliberations were known.

Genesis of the Constitution. Winsor's *America*, VII, 237–246; *Bryce's *Commonwealth* (abd. ed.), chs. iii, xxv, xxviii, xxix.

181. Nature of the Constitution. — The best way to reach a thorough knowledge of the nature of the Constitution is to read Madison's *Notes*. The student will at once notice the straightforward character of the debates of the convention, and will be impressed with the patriotism and the good sense of its members. It is surprising to observe how little they relied upon theoretical considerations, and how much they confided in the test of experience. The Constitution is, in reality, a most skillful adaptation of the best features of the existing state constitutions to the needs of a federation. A few things in it were necessarily new, for the problem to be settled was new. An historical student familiar with colonial history and with the constitutions of the Revolutionary epoch can find precedents for nearly all its more important features. Instead of having been "struck off at a given time from the brain and purpose of man," as Mr. Gladstone declared, it was the result of the experience of the English race in Britain and in America. The idea of a written constitution was not new; every colonial government had been regulated in conformity with a written document,— a charter or a commission and its accompanying instructions. The origin of the Supreme Court can be found in the authority exercised by the Privy



Fiske's *Civil Government*, ch. vii.

Council in annulling colonial acts which were contrary to the fundamental laws and usages of England, to a charter, or to a commission. The veto power exercised by the President was drawn from the constitution of Massachusetts. The idea of the Electoral College was derived from the Maryland constitution. There is no more truth in the remark of Sir Henry Maine, that the Constitution is "a modified version of the British Constitution," than there is in the saying of Mr. Gladstone mentioned above. The principal new points were the attempt to form a detailed written constitution for a federation, and its submission to the people for ratification.

Plans for a new Constitution. Fiske's *Critical Period*, 232–249; Schouler's *United States*, I, 41–45.

182. The Great Compromises. — It is hardly correct to describe the convention as divided into parties; it is true, however, that parties were formed on nearly every important question, and that oftentimes the same states would group themselves together on several propositions. The first division came about at the very beginning, when Edmund Randolph, in the name of the Virginia delegation, introduced a plan which was mainly the work of Madison and had received the sanction of Washington. This scheme, known as the Virginia plan, provided for the formation of a national government with a legislative body, or Congress, of two houses, in both of which representation should be based on population; the scheme also contemplated that the executive and judicial officers should be appointed by the Congress. This plan would have placed the government in the hands of the larger states, and it was fiercely attacked by the delegates from the smaller states. The latter, however, were in the minority; for, as we have seen, Rhode Island was never represented at all, and New Hampshire's representatives did not arrive until July 23. By this time the convention had settled many of the main features of the plan, and the majority of New York's delegation had retired in disgust at the evident intention of the convention to override the wishes of the smaller states, — it must be remembered that New York was then

regarded as one of the smaller states. The representatives of these states then supported a scheme brought forward by Patterson of New Jersey, and known as the New Jersey plan. This provided for the continuance of the existing government, but gave Congress power to regulate commerce, to raise revenue, and to coerce the states. These were the most important schemes presented to the convention; but Hamilton read a plan for a strong centralized government in which the states would have little power; he knew that such a plan "was very remote from the ideas of the people," and offered it only as a statement of his own views on the matter. Charles Pinckney of South Carolina also presented a plan, which resembled the Virginia scheme in general outline but was much more detailed. The contest turned on the Virginia and the New Jersey plan, and the former was adopted as the basis of a new constitution.

Compromise on representation. Fiske's *Critical Period*, 250–253.

For a time it seemed as if the smaller states would withdraw, but finally, through the efforts of Roger Sherman and Benjamin Franklin, a compromise was effected which gave the states equal representation in the Senate and proportional representation in the House of Representatives.

The "federal ratio." Fiske's *Critical Period*, 256–262; *Old South Leaflets*, Gen. Ser. No. 70.

The next question was the apportionment of representatives in the lower house. Slavery still existed in the South; should slaves, who had no vote, be counted in estimating the representation of that section in Congress? And what should be done as to direct taxes,— should these be apportioned among the states according to their total populations, or should the slaves be omitted from this estimate? This matter was finally compromised by providing that both representation and direct taxes should be apportioned among the states according to a ratio which should be ascertained "by adding to the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed, three-fifths of all other persons," namely, slaves. This provision was called "the federal ratio," and, so far as it related to representation, greatly increased the political power of the slave owners.

The third great compromise also turned on the question of slavery: the New Englanders, largely interested in commerce, were anxious that Congress should be given power to protect American shipping interests against foreign competition by means of discriminating duties, navigation acts, or other similar measures; the Southerners, fearful lest this power would be used to prohibit the slave trade, resisted. The South Carolinians were especially sensitive and Rutledge even declared that the question of whether "the Southern States shall or shall not be parties to the union" depended upon the mode in which this matter was arranged. In the end, Congress was given power over commerce, but was forbidden to prohibit the slave trade before 1808, though it might levy a tax of ten dollars on each slave imported. This qualification proved to be valueless, as no tax of the kind was ever voted by Congress (p. 270). These compromises were on vital points; but the element of compromise entered into the settlement of nearly every section of the Constitution. It will be well now to glance at a few of the leading features of that great instrument.

Compromise on the slave trade. Fiske's *Critical Period*, 262–267.

183. A Government of Checks and Balances. — The only way to grasp the real meaning of the Constitution is to read it carefully several times and to memorize the more important sections of it. An analysis of the document is inadequate, for the Constitution is itself only a summary. In this section and in those which follow, a few only of the more important considerations which have affected its life will be stated.

The Constitution. *American History Leaflets*, No. 8. Extracts to be memorized, *Guide*, § 47 j.

One of the first things to strike the reader is the endeavor of its framers to establish "a government of checks and balances." Three great departments are provided: the legislative, the judicial, and the executive. Each is given power to defend itself against the encroachments of the other two, and each acts as a check on the others. The Constitution framers had good reason to attempt the accomplishment of this difficult purpose;

"Checks and balances."

in the old colonial days, which most of them remembered, the governors of the royal provinces had exercised all three functions, greatly to the dissatisfaction of the colonists; and the legislative body of Great Britain had held the supreme power. To avoid establishing a government which could develop into either of these forms, the framers of the Constitution sought to give each department its due share of power, and to prevent any one department from making itself supreme. For instance, the executive power is vested in the President; but he also exercises important legislative functions in his veto, and judicial power in his right to pardon. The legislative power is lodged in Congress, but the Senate acts as an advisory council to the President,— without its consent no important appointment can be made and no treaty ratified. The judicial power is intrusted to the Supreme Court and inferior courts; but, as no law can be enforced which the Supreme Court declares to be unconstitutional, the Supreme Court, in fact, exercises supreme legislative functions. Finally, the House of Representatives, by means of its initiative in taxation, exercises a most effectual control over the executive department.

The legislative powers. *Bryce's *Commonwealth* (abd. ed.), chs. ix–xx; Fiske's *Civil Government*, 212–222.

184. The Legislative Power. — The legislative power is confined to certain subjects enumerated in the Constitution, and is further restricted by the first ten amendments, especially by the tenth, which declares that "the powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively or to the people." The Supreme Court is the authorized interpreter of the fundamental law, and it has construed the Constitution in the broadest possible way; following these decisions, Congress has exercised powers, many of which were probably never dreamed of by the framers of that instrument or by the members of the ratifying conventions, whose votes gave it the force of law. Acts of Congress are "the supreme law of the land," unless the Supreme Court declares them unconstitutional, and

hence null and void. In the exercise of this extensive grant of power, Congress can pass no *ex post facto* laws, but the prohibition to enact legislation "impairing the obligation of contracts" applies only to the states and does not affect the Congress of the United States.

Limited power of the states.

The states, on the other hand, are forbidden (Art. i, § 10) to enter into negotiations with foreign states, to coin money, emit bills of credit, make anything except gold and silver a tender in payment of debts, pass any law impairing the obligation of contracts, grant titles of nobility, lay imposts, — except to secure the enforcement of inspection laws, maintain an army or navy in time of peace, or engage in war unless actually invaded.

Functions of the Supreme Court. *Bryce's *Commonwealth* (abd. ed.), ch. xxi; Fiske's *Civil Government*, 250–254.

185. The Supreme Court. — In place of long, detailed descriptions of the powers granted, the framers of the Constitution used general descriptive phrases and then gave Congress (Art. i, § 8) power to pass laws "necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the United States, or in any department or officer thereof." Among other things, Congress is authorized "to regulate commerce with foreign nations and among the several states," and "to lay taxes, duties, imposts, and excises to pay the debts and provide for the common defence and general welfare of the United States." It must be evident to every student that when such general phrases are used in the organic law, the body which has the final decision as to their meaning possesses the most important and weighty functions in the state. This tribunal is the Supreme Court, whose members are protected from molestation, as they hold their offices during good behavior, and receive salaries "which shall not be diminished during their continuance in office." The Supreme Court, too, unlike other federal courts exists by virtue of the Constitution, and cannot be abolished by act of Congress. Its judges, therefore, are independent of all men to an extent not known elsewhere. The court has no initiative, and is not consulted before

Position of the Supreme Court.

the passage of a law; its functions are confined to cases "arising under the Constitution"; and it has no common-law criminal jurisdiction. Following the precedent set by the Rhode Island judges in the case of Trevett *vs.* Weeden, the Supreme Court has always regarded the Constitution in the light of a fundamental law, to be interpreted according to the mode sanctioned by the law. Upon these decisions the development of the country has depended to a much greater extent than would at first sight appear. Recurring to the phrases given at the beginning of this section, it will at once be seen that upon the interpretation of such a phrase as "commerce between the states," "Congress shall have power," and "necessary and proper," the whole framework of government depends. Does the third of these limit the function of Congress to the passage of such laws only as are absolutely essential to the carrying out of the powers granted by the Constitution, or does the phrase "necessary and proper" mean convenient? Does the clause "Congress shall have power to tax" mean only that Congress may levy a tax, or does it mean that Congress may legislate on any subject connected with taxation, for instance, establish a national bank because such an establishment conduces to the easy collection of taxes? Or, to take another case, does the authority "to regulate commerce" mean simply that Congress can secure for the commerce of one state free entrance into another state, or does it mean that Congress may regulate railway fares and determine what kind of couplings for freight cars shall be used by railroads which run through more than one state? The Supreme Court has generally adopted the broadest views on questions of this kind; and thus has arisen the doctrine of "implied powers," conferring on the government of the United States every function which may be convenient for the exercise of any power that the Constitution has conferred on the general government.

Importance of the interpretation of the Constitution. Winsor's *America*, VII, 251–255; *Bryce's *Commonwealth* (abd. ed.), chs. xxii–xxiii, xxxi.

186. Political Parties. — Around this question of constitutional interpretation there was waged a political controversy

which lasted from the formation of the government to the outbreak of the Civil War. The party which has been in the minority in the country, as a whole, has been strong in separate states, and usually has been strong in a group of states in some one section. For example, the Republicans were predominant in the Southern states in 1798, the Federalists, in New England in 1814, and the Democrats, in the Southern states in the time of the contest over the extension of slavery. The party which has been in a minority for any length of time has usually adopted that theory of constitutional interpretation which would confer on one state the right to block the action of the general government. The theory on which this interpretation has rested was that the Constitution was a "compact" between "sovereign states." To protect the rights of the states from invasion, it was essential that the Constitution should be strictly construed to preserve to the states every power not expressly conferred by it on the central government. This States' rights doctrine was held by the Republicans in 1798 and 1799 (p. 286), by the New England Federalists in 1814 (p. 344), by Calhoun and the South Carolinians at the time of the nullification episode (p. 391), and by the leaders in the secession of 1860–61 (p. 473).

Genesis of political parties. Schouler's *United States*, I, 60; Johnston's *Orations*, I, 77.

States' rights doctrine.

The party which has controlled the national government has generally maintained the opposite doctrine: that the Constitution was the framework of a national government formed by "the people" of the whole United States acting in its sovereign capacity. According to this theory, the Constitution should be interpreted to give the central government whatever powers were convenient as aids to the carrying out of its functions. In this way originated the doctrine of implied powers (p. 242). This theory of a liberal interpretation of the organic law was held by Hamilton and his party at the organization of the government (p. 272), by Jefferson when in power (p. 327), by Marshall throughout his long tenure of the chief justiceship (p. 350), by Webster in his reply to Hayne (p. 393), and by Lincoln and the Republican party.

Theory of national existence.

The wording of the Constitution is indefinite in many respects, but this indefiniteness has been far from being a disadvantage. On the contrary, it has proved to be a source of strength; for the Constitution has been capable of interpretation according to the varying wishes of the people and the circumstances of the times. This has contributed to the stability of the government, which has been further strengthened by the slowness with which new ideas and interpretations can be acted upon and by the natural conservatism of the American people.

Process of amendment.

187. Stability of the Constitution. — It is true that the framers of the Constitution provided a mode by which the instrument might be amended (Art. v); but the method which they devised for this purpose has proved difficult in practice. More than seventeen hundred amendments have been proposed in an official manner, but only fifteen have become part of the organic law. This number might be reduced still further, as the first ten amendments are in the nature of a Bill of Rights, and were adopted at one time; the last three, also, relate to one subject, and were the outcome of the Civil War. If the first ten are regarded as one, and the last three also as one, it may be said that the Constitution has been changed only four times by process of amendment. Furthermore, it is well to note that between 1804 and 1865 not a single amendment was adopted.

Slowness of change. *Bryce's *Commonwealth* (abd. ed.), chs. xxx, xxxiii.

Another cause which has greatly contributed to bring about this stability, is the slowness with which a political party can gain control of the machinery of the government. At the outset, the Federalists, who had secured the adoption of the Constitution, obtained possession of all three departments; the great revolution which occurred in 1800 gave the mastery of the executive and the legislative branch to the Republicans, but the judiciary remained in the control of the Federalists for a generation. The only example of a sudden change in the policy of all three departments occurred in 1861, at the beginning of the Civil War, and that was caused by the refusal of the Southerners any longer

to take part in the management of the affairs of the nation. This slow movement of the political machinery is due mainly to the different terms of office of the executive, of the members of the two houses of Congress, and of the justices of the Supreme Court. The last hold their positions for life, and as fast as they die or resign, their places are filled by the President with the consent of the Senate. The members of the latter body are chosen by the legislatures of the several states, and serve for six years — one third retiring biennially. The President holds office for four years; he is elected indirectly by the people, but in choosing him the people of the smaller states have more influence in proportion to their numbers than have the voters of the more populous states; this is owing to the fact that in the electoral college no state has fewer than three votes. Moreover, when no candidate for the presidency has received a majority of all the electoral votes, the choice devolves upon the House of Representatives, voting by states. The President may, therefore, be the choice of a minority of the people, and this has happened more than once, as, for example, in 1824. The representatives are chosen for two years by the voters of the several states, and their number was apportioned among the several states according to "the federal ratio" (p. 238) until the adoption of the Thirteenth and the Fourteenth amendments abolished slavery, but each state, regardless of its population, has at least one representative. It will be seen from this brief statement that before the Civil War the people of no state were represented in any branch of the general government according to population or voting strength. And even now, since the adoption of the Fourteenth Amendment, they are so represented only in one portion of the three great departments. A minority of the people, therefore, has frequently controlled the government and directed the policy of the nation. Moreover, it has often happened that the President and Congress have represented two divergent views of political action. Even when this has not been the case, the President and the represen-

Disproportionate representation

tatives have often stood for one party, while the Senate has been in the hands of the other party, and has been able to thwart the wishes of a majority of the voters of the country. These arrangements have made legislation difficult, and have prevented sudden changes; but they have contributed most strongly to maintain the stability and strength of the government.

Functions of the President. *Bryce's *Commonwealth* (abd. ed.), chs. iv–viii, xxiv; Fiske's *Civil Government*, 224–240.

188. The President. — "The President of the United States," to use the official title conferred on the chief magistrate by the Constitution, occupies a peculiar position among rulers of modern times. Representing the whole people and all the states as no other man represents them, he enters upon the discharge of his duties after taking a solemn oath "to preserve, protect, and defend the Constitution of the United States" (Art. ii). In peaceful times, he acts merely as the chief magistrate of the nation, being obliged to gain the consent of the Senate to all important appointments and to treaties concluded with foreign powers. He is otherwise free; for although he may consult the heads of the great departments, he need not heed their advice. In the interpretation of his powers as chief executive and as commander in chief of the army and navy, he acts upon his own responsibility. It is true that the Senate passed a vote of censure on Jackson (p. 406), but Jackson's reply defending the independence of the executive department was conclusive. The Supreme Court has also interfered to control the President (p. 403), but it has no power to enforce its decisions as against the chief executive. The President can be impeached by the House of Representatives and convicted by the Senate, but only for "treason, bribery, or other high crimes and misdemeanors," and only with the consent of two thirds of the senators present (p. 543).

In time of war, especially of civil war, the President's powers have no limit; he may exercise functions resembling those of a dictator. For instance, Lincoln issued the Emancipation Proclamation (p. 515) by virtue of these "war powers." The President is obliged "to defend the

Constitution" and to secure the "faithful execution of the laws." To attain these objects he may, at his discretion, use the whole army and navy of the United States. He can act without consultation with any one — unless he so desires — and he concerns himself only with the violators of the laws, no matter who they may be.

End of the Convention. (*Old South*) *Leaflets*, Gen. Ser. No. 1, p. 17; Schouler's *United States*, I, 61–79.

189. Ratification of the Constitution, 1787, 1788. — Congress had authorized the Federal Convention to propose amendments to the Articles of Confederation whose ratification, under the Articles, would require the consent of all the thirteen states. The framers of the Constitution had proceeded in an entirely different spirit: the first resolution adopted by them declared that "a national government ought to be established." In submitting the result of their labors to Congress, they stated: "In all our deliberations . . . we kept steadily in view that which appears to us the greatest interest of every true American, the consolidation of our Union, in which is involved our prosperity, felicity, safety, perhaps our national existence." Furthermore, they proposed a method of ratification of the new instrument which was in itself unconstitutional — according to the Articles — and in opposition to the vote of Congress under which they had acted: they recommended to Congress that the new instrument of government should be voted on by conventions elected by the people of the several states for this express purpose, and that the consent of nine states should be sufficient for the establishment of this Constitution "between the states so ratifying the same." Congress carried out the wishes of the convention in this regard, and voted (September 28, 1787) to transmit the Constitution "to the several legislatures, in order to be submitted to a convention of delegates chosen in each state by the people thereof." It is important to note this process in detail, as the Constitution begins with the words: "We the people of the United States, . . . do ordain and establish this Constitution." But what does the phrase "We, the people of the United States," signify? On the one hand, it has been

Process of ratification. Fiske's *Critical Period*, 306–345.

maintained that the state conventions were used merely as a convenient means for ascertaining the will of the people of the United States as a whole; on the other hand, it has been urged that the people of the several states, each sovereign in itself, ratified the Constitution. If this latter were the correct view, it would necessarily follow that a state which had acceded to the Constitution could withdraw from the new union by simply holding another convention and repealing the ratifying ordinance. As an historical fact — entirely apart from legal and theoretical considerations — it is undoubtedly true that this was the view of the voters whose consent gave the Constitution its validity: the voters of each state regarded themselves as perfectly at liberty to enter the new union or not as they saw fit, and if they had supposed for an instant that once in the Union withdrawal would be impossible, it is probable that nine states would never have ratified the Constitution. While this is all true concerning the opinions and intentions of those who gave force to the organic law, it is also true that from the point of view of history it would be impossible to point to a moment of time when any state was "a sovereign state." "The Union," as Lincoln said, "is older than the states"; no state ever existed apart from the Union; no state ever exercised complete sovereign power.

Breach of the Articles of Confederation.

Another point to which attention should especially be called is the fact that the mode of ratification was contrary to the existing constitution, — the Articles of Confederation, — which required the consent of the legislatures of all the states to its amendment. Yet now (1789) eleven states, or "the people of the United States" living in eleven states, by ratifying the Constitution formed a new union, and left the two hesitating states to get along as well as they could. Bearing all these facts in mind, it is to a study of the debates of the ratifying conventions that the student must turn to obtain a true conception of the intentions of the makers of the organic law. "The Constitution," said Madison in 1796, "as it came from the convention was nothing

more than the draft of a plan; nothing but a dead letter, until life and validity were breathed into it by the voice of the people speaking through the several state conventions which accepted and ratified it."

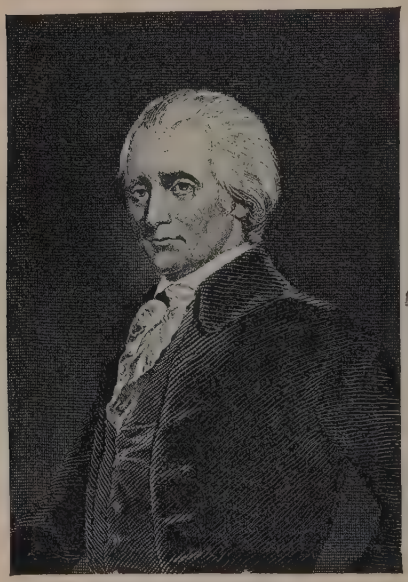
Between December, 1787, and June, 1788, ten states ratified the Constitution; New York followed in July, and only Rhode Island and North Carolina had not ratified at the time of Washington's inauguration. The period extending from the publication of the report of the convention to the rati-

Stratford House, Westmoreland, Virginia. Birthplace of R. H. Lee

fication of New Hampshire and Virginia, the ninth and tenth states (June. 1788), was one of the most critical and momentous in the history of America. The friends of the Constitution termed themselves Federalists, and called their opponents Anti-Federalists; but these terms hardly described the positions of the contending parties. Patrick Henry was probably the ablest opponent of ratification; he declared himself to be in favor of a federal form of government, and objected to the proposed Constitution because it would establish "one great, consolidated, national govern-

Opposition to ratification. Winsor's *America*, VII, 247–251.

ment of all the people of the states." Other honest, high-minded, and patriotic men opposed ratification because they desired a more democratic form of government than the one proposed by the Convention. Another most weighty objection to the scheme lay in the omission of any clear statement of the rights of the people. The question at issue, however, was the acceptance of the proposed Constitution, or anarchy and civil war. It was absolutely necessary to ratify the Constitution as it stood; but those opposed to it were, in a measure, satisfied by the suggestion of amendments which might be made as soon as the new government should be organized.



Richard Henry Lee

Amendments of the Constitution.

The government was no sooner organized than Congress put such of these suggestions as it approved into the form of ten amendments, which were promptly ratified and declared in force, November, 1791. These amendments provide that (Art. ix) "the enumeration in the Constitution of certain rights, shall not be construed to deny or disparage others retained by the people," and (Art. x) that "powers not delegated to the United States, ... nor prohibited by it to the States, are reserved to the States or to the people." The other eight amendments provide for the separation of church and state, protect the freedom of

the press and of petition, guarantee trial by jury, and, in general, provide the safeguards for personal liberty which are to be found in the Bills of Rights of the Revolutionary epoch.

Had these amendments been part of the Constitution when it was laid before the ratifying conventions, they would have gone far to remove the objections of men like Patrick Henry and Samuel Adams. Their importance can hardly be overestimated, and it should always be carefully borne in mind that the Constitution, as originally framed by the Federal Convention, was practically never in operation.

Importance of the first ten amendments.

Alexander Hamilton had slight confidence in the efficacy of the Constitution to provide a stable government for the country; but he recognized that it was the only organic law which could be established and that it was far better than the Articles of Confederation. He, therefore, used all his influence and his great talents to secure its adoption. As one means of instructing public opinion, he wrote a series of articles which were printed in the newspapers under an assumed name. These, with a few others from the pens of John Jay and James Madison, were afterwards gathered into a volume entitled the *Federalist*. This treatise is today the best commentary on the Constitution and should be studied by all who desire to have a thorough understanding of its provisions. The best statement of the views of the opponents of ratification were the *Letters of a Federalist Farmer*, by Richard Henry Lee, and the speeches of Patrick Henry in the Virginia Ratifying Convention. For many years, it was customary for historical writers to ridicule the arguments put forward by Patrick Henry, R. H. Lee, George Mason, Samuel Adams, and George Clinton. More recently, there has been a disposition to study the history of this memorable epoch in a fairer spirit, and to do justice to the patriotism and ability of these leaders of public opinion.

Extracts in *Old South Leaflets*, V, No. 7, Gen. Ser. No. 12.

Old South Leaflets, V, No. 6.

The Constitution has proved deficient in a few respects:

for instance, it contains no provision to enable the general government to acquire new territory. Many writers have deplored the concessions which were made to the slave owners; but the great difficulties of the time in dealing with that grave problem should be remembered. When all has been said, however, the Constitution remains the most marvellous written political instrument that has ever been made. It was designed by men familiar with the mode of life of the eighteenth century, to provide an escape from the evil conditions of that time, and to furnish a practicable form of government for four millions of human beings inhabiting the fringe of a continent. It has proved, with few exceptions, sufficient for the government of seventy millions, living in forty-five states, covering an area imperial in extent, and under circumstances unthought of in 1787.

SUGGESTIVE QUESTIONS AND TOPICS

§ 166. Nationalism and Particularism

a. Define nationalism; distinguish it from the principle of nationality; define particularism.

b. Methods of representation: distinguish between local representation, national representation, representation according to population; give arguments for and against each method.

§§ 167–169. The Articles of Confederation

a. Discussion of the text: Arts. i, ii, iii. Discuss minutely the phraseology of the title and the first three articles as to the bearing of their significant words and provisions upon nationalism; compare with the Declaration of Independence and with the Constitution.

Article V. State objections to one national legislative house and prove their validity; to annual elections to such a legislative body; to payment of its members by the states individually.

Article VIII. What provision fatal to federal authority does this article contain? Prove your answer.

b. Collect the matter of the articles under the following heads and compare it with similar matter in the Constitution: Form of government (territory, finance, commerce, foreign relations, peace and war, enforcement of laws). Division of power between federal and state authority. Express limitations, prohibitions, and obligations.

c. Recite the clauses of the Constitution which remedy the defects of Arts. ii and ix, of v, of vi, of viii, of xiii.

§§ 170–173. The Public Domain

a. Point out the peculiar hardships of Maryland's position, and comment upon her conduct.

b. What two principles enunciated by Congress in 1780 became the foundation of the territorial system of the United States?

§ 174. Social Progress

a. Describe and give arguments in favor of the freehold qualification for suffrage. Discuss as basis for suffrage: property, education, man-

hood, birth. What restrictions upon suffrage exist to-day in your state? in your city or town?

§§ 175–178. Foreign and Domestic Affairs

a. Pick out the clauses in the Articles which prevented Congress from making "counteracting regulations."

b. Place in note-book as headings: "Secession," "Theory of States' Rights," "National Theory," and enter under each all fitting material.

c. Quote the clauses of the Constitution which "gave the United States power to make its treaties respected at home and to hamper foreign commerce by levying discriminating duties." Why should we not levy discriminating duties to-day?

d. Look up Gresham's Law and illustrate it by matter in § 176. Can a legislative body fix the value of money? Look up the history of the French *assignats*.

e. Draw a parallel between the condition of the United States in 1783–86 and in 1893–96 under the following heads: uncertain standard of value, movement of the currency medium, resulting condition of currency, effects upon confidence, decision of the people.

f. Enumerate the reasons for which the years 1786, 1787, are called "The Critical Period." Which was the most important? Why?

§§ 179, 180. The Federal Convention

a. Put as heading in note-book, "Influence of Commercial Questions in shaping the History of the United States"; review colonial history and enter all fitting matter; as you advance make new entries.

§§ 181–189. The Constitution

a. Read the Constitution sentence by sentence and try to find in your knowledge of colonial history and of colonial documents precedents for each provision.

b. Enter in note-book as three separate heads the Three Compromises of the Constitution and trace their history as you advance What amendments affect these compromises, and how? Had the first compromise any good points except making federation possible? Do you think that compromise makes a good foundation for a government?

c. What is meant by a "government of checks and balances"? Point out the checks and balances of the Constitution; note especially how far participation of power as well as division of power exists.

d. What are the joint powers and privileges of the two Houses? What the special powers of each House?

e. Point out in what respects the Supreme Court has an authority undreamed of in the ancient world and unrivalled in the modern world. How is it given control and guarded from interference? How is the authority of the Court maintained? What is its weak point? Explain in what respects the decisions of the Supreme Court have aided in the development of the United States.

f. Put in note-book as heading, "Minority Control of Government"; enter instances with explanations as you proceed.

g. What is the present ratio of representation to population? What states at present have a smaller population than is expressed in the ratio? What effect upon our development has their representation?

h. In how many respects were the acts of the Federal Convention revolutionary?

i. Who ratified the Constitution, each state singly or the people acting for convenience in groups?

j. Draw an imaginary picture of results if the North had not compromised on slavery. Can you justify the action of the North?

Historical Geography

a. Represent upon an Outline Map the western claims and the actual cessions to the United States of Massachusetts, Connecticut, New York, Virginia, the Carolinas, and Georgia.

b. Make any necessary changes in the map of your state.

c. Explain by recitation the map and changes you have made.

General Questions

a. Has the Constitution established a federal government or a national government?

b. Distinguish between "inherent," "delegated," and "implied" powers and tell when each kind exists.

c. Point out in the Constitution the powers "delegated," "prohibited," or "reserved."

d. Which country, the United States or Great Britain, has the more conservative constitution? Why?

e. Our self-control in allowing laws made by representative bodies to be annulled by the Supreme Court has been much admired: how do you account for this self-control?

Topics for Investigation

(See directions under this head on p. 48.)

a. Compare Franklin's Plan with the Albany Plan and with the Constitution (216, 119, 239).

b. Compare the Articles of Confederation with the other plans and with the Constitution.

c. Make a topical analysis of the Articles; do the same with the Constitution.

d. Make a topical analysis of the Ordinance of 1787; note especially points of resemblance to the Constitution (225, last reference).

e. Make a topical analysis of the several attempts to amend the Articles (232, last reference of first group).

f. Compare the arguments of Madison and of Henry (251).

g. Show how far the Constitution meets the requirements of Washington's letter to the governors (211, 239).

As preparation for the next chapter study the lives of Washington, John Adams, Thomas Jefferson, and Alexander Hamilton, under the following heads: personal appearance, temperament, mental endowments, moral nature, social position, political principles, popular regard, influence in shaping United States history.

CHAPTER VII

THE FEDERALIST SUPREMACY, 1789–1800

Books for Consultation

General Readings. — Johnston's *American Politics*, 19–54; Higginson's *Larger History*, 309–344; Hart's *Formation of the Union*, 141–175; Walker's *Making of the Nation*, 73–167.

Special Accounts. — Wilson's *Presidents;* Lodge's *Washington* (S. S.); Sumner's *Hamilton* (M. A.); Schouler's *Jefferson* (M.A.); Pellew's *Jay* (M. A.); *McMaster's *United States;* Schouler's *United States;* *Von Holst's *Constitutional History;* *Hildreth's *United States;* *Taussig's *Tariff History;* Larned's *History for Ready Reference.* Larger biographies of the leading statesmen, *Guide*, § 25.

Sources. — Cooper and Fenton, *American Politics; American History Leaflets;* Johnston's *American Orations; Old South Leaflets;* Preston's *Documents;* Stedman and Hutchinson, *Library of American Literature;* MacDonald's *Documents;* Benton's *Abridgment;* Williams's *Statesman's Manual.* Writings of the leading statesmen, *Guide*, §§ 32, 33.

Bibliography. — Channing and Hart, *Guide to American History*, §§ 56a, 56b (General Readings), §§ 157–166 (Topics and References).

Illustrative Material. — A. L. Lowell's *Essays on Government;* Upham's *Timothy Pickering;* Austin's *Gerry;* Flanders's *Chief Justices;* Sullivan's *Familiar Letters;* Maclay's *Journal;* J. Adams's *Diary;* Shaler's *Kentucky;* Drake's *Making of the West;* Roosevelt's *Winning of the West; American History told by Contemporaries.*

Brackenridge's *Modern Chivalry;* Brown's *Arthur Mervyn;* Cooke's *Leather Stocking and Silk;* Kennedy's *Swallow Barn;* Arlo Bates's *Old Salem;* "A Girl's Life Eighty Years Ago" in *Scribner's Magazine*, May, 1887; Goodrich's *Recollections of a Lifetime;* Gayarré's *Aubert Dubayet.*

THE FEDERALIST SUPREMACY, 1789–1800

Dilatoriness of Congress, 1789.

190. Washington elected President. — The Federal Convention made its report to Congress in September, 1787, and the ninth state, New Hampshire, voted to ratify the Con-

stitution on June 21, 1788; but it was not until April 30, 1789, that George Washington took the oath of office as first President of the United States. The Congress of the Confederation had set an earlier date, March 4, for the inauguration; but the men of that day were accustomed to being late. It was not until another month had passed away that a quorum of both houses of the first Congress under the Constitution was in attendance to count the electoral ballots, and ascertain the choice of the electors for President and Vice-President.

Election of Washington. Schouler's *United States*, I, 79; *Stanwood's *Elections*, 1–16.

No one had the slightest doubt as to the fittest man for the presidency; every elector voted for Washington. That great man was now in his fifty-eighth year. One of the richest men in America and the foremost leader of the Virginia aristocracy, he represented the best elements in American society of that time; for the framework of society was still aristocratic, although the tendency was distinctly toward democracy. In politics, Washington can scarcely be said to have belonged to any party at this time. He had entered most heartily into the plan for the formation of a national government; but he was not a man to think deeply on theories of government. He was rather a man of action and an administrator. The necessity of the hour was a stronger central government: to attain that important object, Washington was anxious to use every proper means at his command and to employ the services of leading men of all shades of political belief.

Adams and Hamilton. Schouler's *United States*, I, 80–82.

191. John Adams elected Vice-President. — For second place there was no such unanimity of opinion as in the case of Washington. The foremost candidate was John Adams of Massachusetts. He had been one of the leaders in the earlier days of the Revolution, and had later represented the United States abroad, especially in England. Unfortunately, he had written a book in which, among other things, he suggested that "the rich, the well-born, and the able," should be set apart from other men in a Senate. The proposal to elevate "the rich" and "the able" did not

arouse much opposition; but the use of the phrase "the well-born" greatly injured Adams's popularity. As the Constitution then stood, each elector voted for two persons without stating which of them he wished to be President. The one who received most votes should be President, provided he received a majority; the person receiving the next highest number should be Vice-President. The elevation of "the well-born" would have been most welcome to Alexander Hamilton; but he conceived the idea that Adams might receive more votes than Washington, and intrigued to prevent it. The scheme became known to Adams, and proved to be the beginning of a long and unfortunate quarrel, which had most serious consequences for the party of which Adams and Hamilton soon became the chiefs.

Political tendencies.

192. Political Tendencies, 1789. — There were no political parties in the United States in 1789; but the political leaders and the voters were divided in precisely the manner in which they had been during the contest over the ratification of the Constitution. No sooner was the task of reorganization begun than these different views showed themselves. Two men were soon recognized as the leaders of these opposing camps, and may be considered as representing in their own persons the ideas that were held by the two political parties in the earlier portion of our history under the Constitution. The first of these tendencies expressed itself in the desire to promote the welfare of the individual, to give him greater political power, more comforts in life, greater intelligence, and in general to raise the more ignorant and ruder portion of society. The second declared itself in the wish to make the welfare of the individual depend on the growth of the nation and to rely for support on "the well-born," the intelligent, and the richer portion of the community. With the former of these tendencies was identified Thomas Jefferson, Washington's

Secretary of State; with the latter, Alexander Hamilton, Washington's Secretary of the Treasury.

Thomas Jefferson. Schouler's *United States*, I, 189; *Morse's *Jefferson* (S. S.).

Thomas Jefferson, the author of the *Summary View* and the *Declaration of Independence* and representative of the United States in France, was now in the prime of life. In many ways he was one of the most extraordinary men America has produced. An aristocrat by birth and breeding, the owner of slaves, and the designer of and dweller in one of the most elegant mansions of that day, he was the

Monticello, Jefferson's mansion

leader of democracy, the champion of the rights of man, and the persistent, though powerless, advocate of slave emancipation. When President, he seemed to enjoy shocking the prejudices of very particular persons: Washington had established stately ceremonials, Jefferson conducted official gatherings on the principle of "pell-mell" — each guest doing pretty much as he pleased; Washington had driven in coach and four to and from the halls of Congress, Jefferson rode on horseback, unattended, from the White House to the Capitol and hitched his horse with his own hands in

a neighboring shed. More curious still, Jefferson, a man of unpractical ideas, was the shrewdest political leader of his day. Shy, reluctant to attend crowded meetings, and without magnetism, he led the masses and won the greatest popularity in one of the most difficult periods of our history. In person Jefferson was tall, six feet two inches in height, with sandy hair and a most sunny countenance. He was ungainly in figure and seemed always "to be jumping out of his clothes," and he sat or reclined on one hip in a manner which impressed at least one keen observer who has described him.

Alexander Hamilton. Schouler's *United States*, I, 186; Sumner's *Hamilton* (M. A.).

Unlike Jefferson in every respect, Alexander Hamilton was small in stature and was always well-dressed. A great administrator and capable of attracting men by his personal qualities, he led his party to a most crushing defeat. His success in organizing the machinery of the government entitles him to the gratitude of the nation, and the part he played in securing the ratification of the Constitution gives him a foremost place in the annals of the United States. He deserves the more credit for this, perhaps, because he had no faith that the new Constitution would provide a sufficient government for the country. In 1802 he wrote: "Perhaps no man . . . has sacrificed or done more for the present Constitution than myself; and, contrary to all my anticipations of its fate . . . I am still laboring to prop the frail and worthless fabric. . . . Every day proves to me more and more this American world was not made for me." In these sentences may be found the reason for the political failure of Hamilton and his friends. He had no sympathy with the desires of the masses for self-improvement. He had no confidence in their ability to conduct successfully the affairs of the country. In one noted phrase he stated the reason of his failure as a political chief. It was at a dinner when, replying to some remark that had been made, Hamilton declared: "Sir, your people is a great beast." But it was the people that must govern under the Constitution, or republican government was a failure. Far

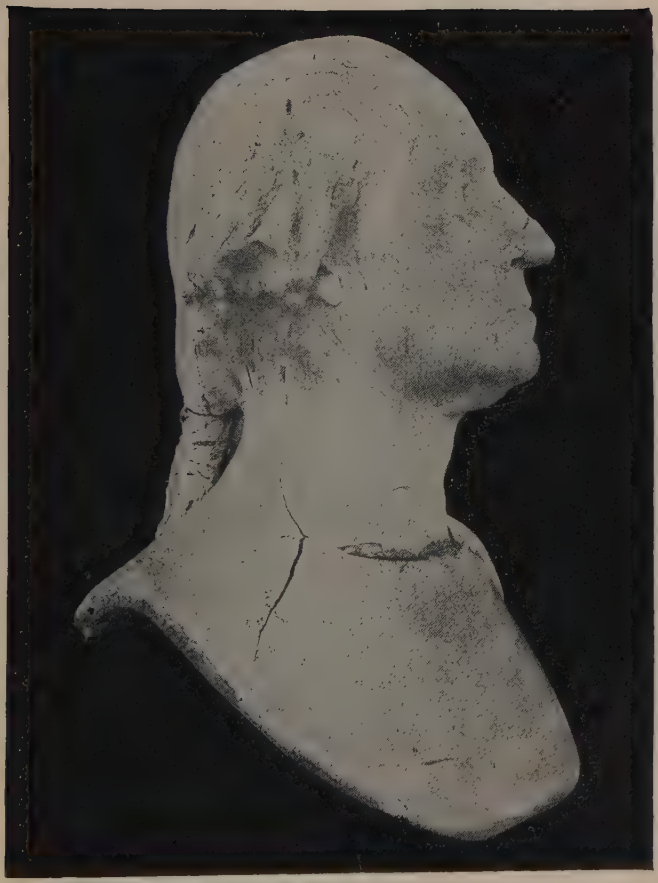
otherwise was Jefferson's view of the people. In a letter written in 1787 he said: "I am persuaded that the good sense of the people will always be found the best army. They may be led astray for a moment, but will soon correct themselves." The Federalist party endeavored so to frame the governmental machinery that a minority of the people could govern the majority; the attempt ended in disaster.

Washington's inauguration, 1789. Schouler's *United States*, I, 84–90; *Old South Leaflets*, V, No. 8, Gen. Ser. No. 10.

193. Washington's Inauguration, 1789. — Washington "bade adieu," to use his own words, "to Mount Vernon, to private life, and to domestic felicity; and with a mind oppressed with more anxious and painful sensations than I have words to express," set out for New York to take the oath of office as the first President of the United States. The cheers which greeted him on his journey did not lessen his sense of the deep responsibilities which surrounded him. His inaugural was especially solemn: he addressed "fervent supplications to that Almighty Being who rules over the universe . . . that his benediction may consecrate to the liberties and happiness of the people of the United States, a government instituted by themselves, . . . and may enable every instrument employed in its administration to execute with success the functions allotted to his charge."

Fears of monarchical tendencies. Schouler's *United States*, I, 126–140.

Colonial customs and traditions derived from English precedents were still the rule. Washington, inclined to be stiff and formal, instituted a rigid ceremoniousness in official intercourse which seemed little like republicanism. During the recesses of Congress, he traveled around the country in an almost regal fashion. Everywhere he was enthusiastically received: at one place he was greeted with "God bless your reign"; at another he was hailed as "Columbia's Savior." At Boston, however, John Hancock, governor of Massachusetts, endeavored to uphold the dogma of state sovereignty by refusing to make the first call; but usually the stiffest Anti-Federalists forgot their constitutional scruples and heartily joined to do honor to "The President." All these things, however, when coupled with Hamilton's well-known predilection for a government mod-



George Washington

After a mask made from the living face, 1785

eled on that of Great Britain in the days of the unreformed Parliament, convinced many men that the restoration of the monarchical form was the aim of the Federalists. Probably the charge was not true in any case.

First Tariff Act, 1789. Schouler's *United States*, I, 96–102.

194. Organization of the Government. — On April 8, weeks before Washington took the oath of office, Madison introduced a resolution in the House of Representatives which led to the first debate upon protection, and finally to the formation of the first tariff act. This law, which Wash-

A room at Mount Vernon

ington signed shortly after the inauguration, proved insufficient to provide the necessary funds, and the rates were increased in 1790 and again in 1792. A Tonnage Act, which was passed at about the same time, provided for a discrimination in favor of goods imported in American vessels and excluded foreign vessels from the coastwise trade. It was further suggested that vessels flying the flags of nations not

having commercial treaties with the United States should be taxed more heavily than vessels belonging to more friendly countries. This bill was aimed especially at the foreign shipping interest; but the influence of merchants engaged in commerce with Great Britain was exerted to defeat the proposal, and the attempt was abandoned.

Executive departments organized. Schouler's *United States*, I, 103–106.

Congress then turned its attention to the organization of the new government. Five administrative departments were created: the state department, which at first had to do with both home and foreign affairs; the treasury; the war department, which also managed the trifling naval affairs for the next few years; the department of justice, at the head of which was the Attorney-General; and the post office. The heads of these departments were appointed by the President with the consent of the Senate, but they were removable by him without action by the Senate (see p. 246); it had been proposed to make the Secretary of the Treasury responsible to Congress, but this proposal had been abandoned. The first four of these departmental heads acted as the President's advisers; the Postmaster-General remaining for the present outside of what was termed the cabinet. In thinking of this organization and using the words "advisers" and "cabinet," the student should always carefully bear in mind that the President is not obliged in the smallest degree to follow their advice or even to ask it. Congress further made provision for the appointment of collectors of the customs, district attorneys, and other officials to carry on the business of the government.

The Judiciary organized. Schouler's *United States*, I, 107.

Congress also provided for the organization of the Judiciary. The Supreme Court comprised a Chief Justice and five Associate Justices, and thirteen district courts were established. Between the district courts and the Supreme Court were the circuit courts, three in number; they were held by justices of the Supreme Court and the judges of the district courts. Provision was made for the appointment of the necessary officials, as marshals, who held office for four years; in this latter enactment,

some students see the germ of the spoils system which was later developed by the extension of this limited tenure of office to all of the less important positions in the executive branch (p. 390).

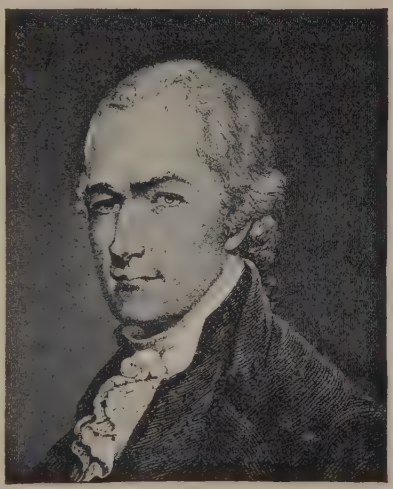
Hamilton's report on finances. Schouler's *United States*, I, 144–149; MacDonald's *Documents*, Nos. 6, 8.

195. Hamilton's Financial Measures. — In January, 1790, Hamilton, the new Secretary of the Treasury, presented to Congress an elaborate report on the public credit, which should be carefully studied by all who desire to understand Hamilton's clear insight into financial matters, and to appreciate, at their full value, the great services he rendered to his adopted country. It appeared that the United States, as the successor of the Confederation, owed about fifty-four million dollars in principal and accrued but unpaid interest. Eleven millions of this was owed abroad. As to this portion, which was generally termed the "foreign debt," all agreed with the secretary that it should be paid in full according to the terms of the original contracts. As to the larger portion, which was owed to citizens of the United States, — the "domestic debt," as it was called, — there was no such unanimity of opinion. There had been hardly any market at all for these obligations; holders had been fortunate to sell their holdings at one fifth of the face value. Hamilton proposed to fund this part of the debt at par; but to this proposal there was much opposition. It was argued that

Mrs. Alexander Hamilton

Hamilton's plan.

this arrangement would be unjust to the original holders of these certificates who had received them in payment for supplies furnished to the Revolutionary armies, or for services rendered to the country at the time of its greatest need. Madison suggested that the present holders should be paid the highest market price for their certificates, and that the difference between that amount and the face value of the bonds should be paid to the original holders. Hamilton insisted, however, that to secure the credit of the new government it was essential that the full face value of the certificates should be paid to those who possessed the legal title. This was sound practical sense, and Hamilton's plan was adopted. A further part of the secretary's scheme provided that the United States should assume and fund, as a part of its own debt, certain portions of the debts of the several states. On this question, however, the interests of the North and of the South were different, as, for one reason or another, the Northern states were burdened with much larger debts than were the Southern states. The measure commended itself to Hamilton and to those who thought with him, because its carrying out would interest a large number of persons in the stability of the new government, and would compel the United States to exercise extensive powers of taxation; but this centralization of power was disliked by those who



Alexander Hamilton

Assumption of state debts. Schouler's *United States*, I, 149–152.

viewed with jealousy the subordination of the states to the federal government. North Carolina ratified the Constitution in November, 1789, her representatives took their seats in Congress in time to vote against the project, and it was defeated by a small majority (April, 1790). The issue now became bound up with the decision of another question,— the permanent seat of the national capital.

Site of the federal capital. Schouler's *United States*, I, 152–154.

196. The National Capital and Assumption. — Toward the close of the Revolutionary War three hundred Pennsylvania soldiers had surrounded the building in which Congress held its sessions, and demanded the immediate redress of their grievances. The executive council of Pennsylvania was appealed to, and declined to interfere to protect Congress from annoyance. It was largely owing to this that the framers of the Constitution inserted a provision in that instrument which gave the federal government complete control over a district ten miles square, within which a national capitol and other buildings might be erected. The question of the precise location of this small district does not appear to be a matter of much importance in these days of rapid transit. In 1790, however, the Potomac was, to all intents and purposes, as far from Boston as San Francisco is nowadays and Philadelphia was much more inaccessible to the South Carolinian than Denver is at the present time. The Southern members of Congress were anxious to have the permanent seat of government on the Potomac, and the Pennsylvanians were equally desirous that Philadelphia should be the temporary seat of government while the necessary buildings were in the process of construction on the Potomac. Many Northern members, who had slight interest in this matter, were deeply concerned in the success of the project of assumption of the state debts; they believed that the Pennsylvanians, who had voted against the latter measure, had made a bargain of some kind with the Southerners. The friends of assumption, therefore, procured the insertion of Baltimore instead

of Philadelphia as the site of the temporary capital, and this bill came to a sudden stop.

Hamilton's compromise. Schouler's *United States*, I, 154–156.

It was at this time that Jefferson lent his aid to the successful prosecution of a scheme, the recollection of which annoyed him ever after: he yielded to a suggestion of Hamilton's that they should bring about a compromise, and induced enough Southern members to vote for assumption to carry that measure, while Hamilton, on his part, procured enough Northern votes to pass the Potomac-Philadelphia bill. The Assumption Act, in its final form, was a much less satisfactory measure than Hamilton's original plan. The latter had provided for the assumption of balances of the debt of each state after the sum due by the states to the United States had been ascertained; the law, as passed, provided, however, for the assumption of a certain part of state debts mentioned in the act; in some cases it turned out that the amount thus assumed was much too large.

Slavery debates, 1789–90. Schouler's *United States*, I, 156–163.

197. The First Slavery Debates, 1789, 1790. — The years between the close of the Revolutionary War and the formation of the government under the Constitution saw the abolition of slavery in several Northern states and the formation of plans for gradual emancipation in others (p. 227); it may truthfully be said that the Northerners were opposed to the perpetuation of slavery, although it should also be stated that the intensity of this feeling varied greatly in different parts of the North. Many of the leaders of Virginia — as Washington, Jefferson, and Mason — shared in this opinion. South of the Old Dominion, the case was widely different. The South Carolinians had threatened to stay out of the Union unless their demands as to slavery and the slave trade were complied with (p. 239), and the North Carolinians, in ceding their claims to western lands to the United States (1790), stipulated that Congress should make no laws affecting slavery in the territory thus ceded.

Proposal to tax imported slaves, 1789.

The first slavery debate in Congress arose on the motion of a representative from Virginia that the constitutional tax

of ten dollars per head should be levied on all slaves imported into the country. The representatives of the states farther south defended slavery in the abstract, and accused the Virginians of selfishness in advocating the proposed tax, the effect of which would be to raise the price of Virginia slaves, as they would be in demand in the South and would be purchased of the Virginians by the Carolinian and Georgian planters. The proposal was dropped at that time in consideration of Southern votes for the protective tariff, and, as a matter of fact, no tax was ever levied on slaves imported.

Antislavery petitions, 1790.

The next year the question again came before Congress, this time in a form much more objectionable to the slave owners. In February, 1790, memorials were presented from the Yearly Meeting of the Society of Friends and from the Abolition Society of Pennsylvania, whose president was Benjamin Franklin. These petitioners prayed Congress to use its constitutional powers to "promote mercy and justice" toward the negro, and to "remove every obstruction to public righteousness," especially in respect to slavery. The Southerners assailed the memorialists with immense energy; they scented danger from afar, and the matter came up when their passions were thoroughly aroused by the debates on assumption and on the site of the new capital. The most violent of the Southern spokesmen was William Jackson of Georgia, an immigrant from England, whose vehemence in harangue has probably never been exceeded in American deliberative assemblies. The House referred the memorials to a committee, and upon their report another debate occurred. Ultimately a few very mild statements were entered on the journal of the House; among them was a declaration to the effect that Congress had no authority to interfere with slavery within the states. The subject was then dropped.

MacDonald's *Documents*, No. 7.

First Fugitive Slave act, 1793.

Three years later (1793) the slaveholders secured the passage of an act to carry out the provision of the Constitution (Art. iv) that persons "held to service or labor in

one state . . . escaping into another . . . shall be delivered up on claim of the party to whom such service or labor may be due." Fugitive slaves had already been restored to their masters; but this act aroused the resentment of many persons in the North, and the first case which arose under it showed how difficult it is to carry out national laws when they are contrary to the sentiment of the people of a state. In this instance, Massachusetts, where the fugitives were found, did not nullify an act of Congress in public meeting; but it proved to be practically impossible to execute an undoubtedly constitutional law within her borders.

Mason and Dixon's line in the West.

In 1792 Kentucky was admitted to the Union as a slave state; Vermont had been admitted as a free state the year before. The northern boundary of Virginia and Kentucky, from the Pennsylvania line to the Mississippi, was the Ohio River, which in this way served as a boundary between the free states and territories of the North and the slaveholding states and territories of the South. The Ohio forms practically a continuation of Mason and Dixon's line; indeed, the latter term was frequently used to designate simply the line between the free and the slave states.

The Excise and the Bank, 1791. Schouler's *United States*, I, 173–177.

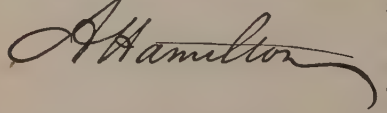
198. The Excise and the Bank, 1791. — The third and last session of the First Congress was held at Philadelphia. Two measures then passed were of exceeding interest: a bill for raising revenue from an internal revenue tax or excise, and a bill establishing a national bank. It will be remembered that Hamilton had valued the plan for the assumption of state debts because it would necessitate the extension of the government's taxing power to other sources of revenue than taxes on goods imported from foreign countries, and thus would bring into the hands of the federal government the great sources of public income. When the assumption scheme was passed, he proposed that an excise tax of twenty-five cents per gallon should be levied on all whiskey manufactured in the United States. This rate was very low, and the tax would not bring in much

revenue; but its enforcement would accustom the western frontiersmen to federal taxation and to the presence of federal officials, and it would make the levying of heavier taxes in the future much easier. The bill was stubbornly fought in the House; it was passed against the protests of several state legislatures, and it produced a rebellion, — the Whiskey Insurrection of 1794. Hamilton's principal object was accomplished, however; the federal government had exerted its powers to levy internal taxes and had shown its power to suppress rebellion.

First Bank of the United States.

Hamilton had long favored the establishment of a national bank. Indeed, during the Revolutionary War, he had written to Robert Morris proposing such an institution on the ground that it would enlist in that movement the influence and interest of men of means and position. He now laid before Congress the plan of a national bank, resembling in many ways the Bank of England. An establishment of this description would make easier the collection and disbursement of the public funds. He therefore maintained that it would be constitutional under the clause which authorized Congress "to make all laws which shall be necessary and proper for carrying into execution the foregoing powers," among which was the power "to lay and collect taxes . . . to pay the debts" of the federal government. This view of the force of the words "necessary and proper" was disputed in Congress, especially by Madison. When the bill came before Washington for his approval, he asked the written opinions of his advisers. Jefferson argued that the power to charter a bank was nowhere granted to Congress by the Constitution, and that, according to the Tenth Amendment (p. 240), all powers not delegated to the national government were reserved to the states or to the people. This opinion and that of Hamilton are well worth reading, as they give an admirable idea of the two modes of interpreting

Constitutionality of the measure. Schouler's *United States*, I, 176–177; MacDonald's *Documents*, Nos. 9–11.



the Constitution. After some hesitation, Washington approved the bill, and twenty-five years afterward Madison, as President, signed a similar bill. The capital of the new bank thus brought into existence was ten millions, and was all subscribed for within two hours. Two parties had been formed in the cabinet, however, and from this time on, Jefferson and Hamilton, to use the words of the former, were "pitted against each other every day in the cabinet, like two fighting cocks." Jefferson placed himself at the head of the elements of opposition, and with marvelous skill welded them into a powerful party.

Jefferson founds Republican party. Schouler's *United States*, I, 217–233, 234–237.

199. Rise of the Republican Party. — Jefferson maintained that Hamilton had under his orders in Congress "a corrupt squadron" of members, who were willing to do his bidding and were well paid for their complacency. There were also dark stories in circulation of swift sailing vessels dispatched by Hamilton's friends to Southern ports, bearing agents who bought up the certificates of indebtedness at a low rate, before the news of the funding of the debt could reach those far-off regions. Whether these stories were true or false, it is undoubtedly true that the shrewd men of business in the North, who were mostly of Hamilton's party, made large profits out of the funding operations, at the expense, to a considerable extent, of the Southern people.

Distrust of the government.

The financial measures of the new government were very successful, and their success alarmed and irritated many persons besides Jefferson. They all led to a great increase in the power of the central government and to a corresponding diminution in the power of the state governments. The latter organizations were familiar to the great mass of the people, who understood little of the problems of finance, which had been so admirably solved by the Secretary of the Treasury. They felt a distrust toward the growing power of the federal government, and were disposed to insist on an interpretation of the Constitution which should be favorable to the continued authority of the states.

Jefferson, personally, was not opposed to the existence of a strong national government; as President, he certainly never hesitated to use whatever powers the Constitution could be construed to give him, and some powers, indeed, which no construction could read into that document (p. 315); but he objected strenuously to the exercise of those functions by Hamilton and his allies. With his love of individual liberty, he saw the government every day trenching more and more on the rights of the individual. He thought he saw a determination to build up a strong government resembling a monarchy, if not a monarchy itself. He lost no opportunity to bring the charge of monarchical tendencies home to his opponents; for himself, he stood for republican principles, and the party which gathered about him gradually assumed the name of Republican. Hamilton and his followers continued to bear the designation — so ill befitting them — of Federalists, — a name which had proved powerful in the struggle for the ratification of the Constitution.

The party press.

Jefferson was the first to recognize the power to be exercised by the newspaper press. Through his influence was established the *National Gazette*, edited by Philip Freneau, a literary man of ability, who occupied the position of clerk in Jefferson's department. A furious attack was at once begun on Hamilton and the Federalists, in which even Washington was not spared. Their defense was feebly essayed by the *Gazette of the United States*.

Influence of the French Revolution on America. Schouler's *United States*, I, 262–279.

200. **The Neutrality Proclamation, 1793.** — On the first day of February, 1793, the French Republic declared war against Great Britain, and began a conflict full of danger to the United States as well as to the people of Europe. Indeed, from this time until 1823, the history of the United States was largely influenced by the course of events on the other side of the Atlantic, and at times it may even be said to have been dominated by European political complications. Jefferson had been United States minister at Paris at the outbreak of the French Revolution;

he had left France almost immediately afterward, and had therefore been personally acquainted with the French Revolution only in its earlier and better period. He sympathized with the efforts made by the French revolutionary leaders to exalt the rights of the individual as against the control of government; that was precisely what he was laboring to bring about in America. Hamilton, on the other hand, distrusted the people, hated democracy, and had no sympathy for France. The cabinet was therefore divided on this question as well as on others, and for precisely the same reasons. This was the more unfortunate as the position of the government was full of peril. The Treaty of Alliance with France (p. 190) provided that each party should guarantee to the other its territorial possessions in America. According to the letter of the treaty, therefore, the United States was bound to defend the French West India Islands against British attacks. Washington laid the case before his advisers and asked whether the treaty was still in force, in view of the overthrow and execution of the French monarch with whom it had been made. Jefferson replied that it was still in force. According to the political theories contained in the Declaration of Independence, which form the basis of the American political system, the government of a country is merely the instrument by which the sovereign power, the people, carries on its affairs. Bearing this in mind, it is difficult to see how he could have given any other answer. To Hamilton, however, to whom governments were everything and the people nothing, the case seemed to be equally clear on the other side. Political expediency, nay, the existence of the United States, demanded that she should not take sides in the tremendous conflict now approaching. Recognizing this, Washington decided to issue a proclamation of neutrality defining the position of the United States, and warning all American citizens against committing hostile acts in favor of either side (April 22, 1793). This proclamation is of the very greatest importance in the

The Neutrality Proclamation, 1793. MacDonald's *Documents*, No. 13.

history of the country, as it was then first definitely laid down as a policy that the United States was to hold apart from the wars and politics of Europe. It proved to be very difficult to carry out in practice, and the difficulty was not in any way lessened by the conduct of the French agent in the United States, the "Citizen Genet."

Genet in the United States.

Genet landed at Charleston on April 8 and at once began to fit out warlike expeditions, as if the United States were French soil: he armed privateers, commissioned them, and directed their masters to send prizes into United States ports for condemnation. He then set out for Philadelphia, and his journey resembled a triumphal progress. Clubs were formed on the model of the Jacobin Club of Paris, and extreme democratic ideas were zealously cultivated. Fortunately, however, Genet was a very imprudent man, and soon mixed himself up in actions which justified the government in asking for his recall. This request was at once granted; for the party that had sent him to America was no longer in power in France, but had been replaced by a much more radical element. Curiously enough, it does not appear that Genet, or Fauchet his successor, called upon the government to fulfill the provisions of the treaty, — a demand which would have been very awkward to meet.

The Federalists at once endeavored to disgrace their opponents by calling them democrats; and the Republicans charged the Federalists with leanings toward England, and branded them as the British party. There was some truth in this latter contention, as the Federalist party was strong in the commercial centers of the North, whose trade was mainly with Great Britain. Notwithstanding their fierce and growing dissensions, Jefferson and Hamilton both implored Washington to serve another term; he was unanimously re-elected, and John Adams again became Vice-President (1792).

Controversy with Great Britain, 1783–93.

201. Relations with Great Britain, 1783–94. — The treaty of peace of 1783 had secured the independence of the United States and had given it adequate boundaries; but

it had left unsettled many weighty questions, and some of its more important provisions had not been faithfully observed. For instance, legal obstacles had been placed in the way of the collection of debts incurred before the Revolution (p. 228), and Great Britain had refused to surrender many posts in the northwest, whose retention was a standing threat to the settlers in that region. The British had also taken away large numbers of slaves contrary to the treaty, according to the American interpretation of it (p. 229). The controversy had reached a dangerous point, where slight additional irritation on either side might easily lead to war; and, on the other hand, the United States was now in a position to enforce its treaty obligations.

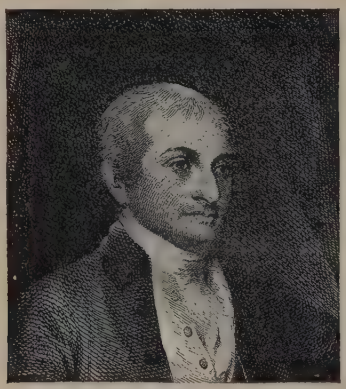
France, Great Britain, and the Neutrals, 1793.

Meantime, the war between France and Great Britain had given rise to another cause of complaint. In May, 1793, the French ordered the capture and condemnation of neutral vessels carrying provisions to British ports, on the ground that provisions were contraband of war, or goods which could not be supplied to a belligerent except at the risk of seizure by the other belligerent. The British government soon adopted a similar policy. In those days there also existed an agreement between the leading European powers to the effect that a neutral could not enjoy in time of war a trade which was prohibited to it in time of peace. This was called the Rule of War of 1756, or, more briefly, the Rule of 1756. The Americans were not allowed to trade with the French West Indies in time of peace, but as soon as the war broke out those ports were opened to them. In November, 1793, the British put this rule in force against American shipping. As the Americans were not permitted to trade with the British West Indies, this action practically closed the commerce of that region to them. With the outbreak of the war, another and even more irritating contention arose over the right of the British to stop American vessels on the high seas and remove from them British seamen for service in British men-of-war; the more serious phase of this impressment contro-

versy will be considered later on (p. 323). Affairs had reached a point where war seemed certain. In March, 1794, Congress laid an embargo for thirty days on shipping in American ports, which was afterwards extended for another thirty days. A bill was also brought in providing for non-intercourse with Great Britain, and was defeated in the Senate only by the casting vote of the Vice-President. A word from Washington, and the nation would have cheerfully plunged into war.

Jay's Treaty, 1794. Winsor's *America*, VII, 466–471; Schouler's *United States*, I, 304–311.

202. Jay's Treaty, 1794. — Washington determined to make one more effort to settle these questions peaceably; he appointed John Jay, Chief Justice of the United States, minister to Great Britain to negotiate a new treaty. Probably a better choice could not have been made. Jay had had much experience in diplomatic affairs, was a man of the highest honesty, and one of the least self-interested men in public life. After a long and difficult negotiation, he signed a treaty (1794) whose publication at once aroused fierce animosity in the United States. By this instrument the British government agreed to turn over the posts on June 1, 1796; joint commissions were to be appointed to settle the question of debts, the indemnity for the negroes who were taken away, and to determine boundary disputes on the northeastern frontier; but on the questions of neutral trade and impressment the British government would not yield. The most objectionable provision of the treaty was the twelfth article. This opened the ports of the British West Indies to American vessels, pro-



John Jay

vided that they were under seventy tons, and on the further condition that during the continuance of the treaty (twelve years) the United States would not export molasses, sugar, coffee, cocoa, or cotton to any part of the world.

203. Ratification of Jay's Treaty, 1795. — The announcement of the terms of the treaty was the signal for an outburst of indignation. A stuffed figure of Jay was burned, the British flag was dragged in the dirt, the British minister was insulted, and Washington was abused in language that he declared "could scarcely be applied to a Nero, to a notorious defaulter, or even to a common pickpocket." It was only with the greatest difficulty that the Senate could be induced to give its consent to the treaty without the twelfth article. In the House of Representatives there was also a fierce conflict, for money was needed to carry out the provisions of the treaty. After a long debate, the House passed a resolution calling on the President for the papers relating to the negotiation. This demand Washington refused, on the ground that the House of Representatives was not a part of the treaty-making power. Finally, the House gave way, largely in consequence of pressure brought to bear upon Northern members by their constituents in the commercial centers of the North; and by a vote of forty-eight to forty-one the necessary appropriation bills were passed.

Controversy over its ratification. Schouler's *United States*, I, 323–329; Johnston's *Orations*, I, 84–130.

Mrs. John Jay

The best that can be said of Jay's treaty is that it postponed the second war with Great Britain for many years. The immediate consequence was to increase the feeling of dissatisfaction with the Federalists. Even in Virginia Washington lost much of his former popularity; the legislature of that state refused to pass a vote of undiminished confidence in its greatest son.

Controversy with Spain, 1783–95. Winsor's *America*, VII, 476.

204. Relations with Spain and France, 1794–97. — According to the treaties of 1763 and 1783, the United States enjoyed the right to the free navigation of the Mississippi (p. 209) and had a strong claim to territory as far south as the thirty-first parallel (p. 229). It proved to be very difficult to secure possession of the land bordering on the Mississippi south of the Yazoo, as the Spaniards contended that Britain, in ceding to her "the Floridas," had ceded them with the boundaries under which they were actually governed at the time of the Spanish occupation (p. 229). The Spaniards also intrigued with the settlers in Kentucky and Tennessee. The right of the United States to the free navigation of the Mississippi could not well be denied, but the free navigation of the great river was of slight value unless the Americans possessed the further privilege of using some portion of the river's banks within Spanish territory for the purpose of transferring cargo from river-going craft to vessels capable of navigating the ocean. In 1795 Thomas Pinckney negotiated a treaty with Spain, by which that power agreed to designate "a place of deposit" within her territory where goods might be stored free of duty while awaiting transshipment, and she acknowledged the claim of the United States as to the boundary to be valid; but it was several years before the posts within the territory thus conceded were handed over to the United States. With France matters did not proceed so satisfactorily.

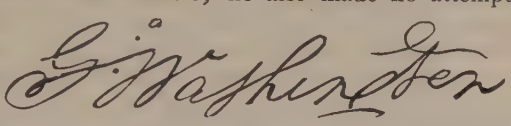
Treaty of 1795.

Controversy with France. Winsor's *America*, VII, 471; Schouler's

The French government was greatly exasperated by the conclusion of the treaty with Great Britain, as war between that power and the United States was thereby made improbable. The American minister at Paris, James Monroe, a

Virginian of the Jeffersonian school, instead of doing his utmost to smooth away these feelings of resentment, seems to have shared them himself; he also made no attempt to press the claims of America for damages for the unjustifiable seizure of vessels by the French. Washington recalled him, and sent in his place Charles C. Pinckney of South Carolina, whom the French government refused to receive (February, 1797).

United States, I, 332–341.



205. Washington's Farewell Address, 1797. — Toward the close of his second term, Washington decided to retire from the presidency, and by declining to be a candidate for re-election, set a precedent which has ever since been followed. He announced this determination in a masterly Farewell Address, which is still full of instruction for the American people. He earnestly besought his countrymen to foster the government recently established and to preserve the public credit. As to the outer world, he wished his fellow-citizens first of all to be Americans, and to avoid taking sides with foreign nations: "It is our true policy to steer clear of permanent alliances with any portion of the foreign world. . . . I hold the maxim no less applicable to public than to private affairs, that honesty is always the best policy. . . .

Washington's retirement. *Old South Leaflets*, Gen. Ser. No. 4; Stedman and Hutchinson, III, 162.

"Harmony and a liberal intercourse with all nations are recommended by policy, humanity, and interest."

206. Election of John Adams, 1796. — The choice of Washington's successor proved to be a matter of some difficulty. Jefferson was the undoubted leader of the Republicans, and he became their candidate. There was no such unanimity of opinion among the Federalists: Hamilton was the real leader of the party, but he was very unpopular and could not possibly have been elected; John Jay would have been Hamilton's choice for the place, but his connection with the negotiation of Jay's treaty made him an impossible candidate. Under the circum-

Election of 1796. Schouler's *United States*, I, 342, 347–349; *Stanwood's *Elections*, 24–29.

stances, John Adams was the only candidate whom the Federalists could put forward with a fair chance of success. But Hamilton sought by an unworthy political trick to secure the election to the first place of Thomas Pinckney, the nominal candidate for the vice-presidency. Adams was popular with the rank and file of the Federalist party, although he was disliked by some of the leaders. The result was that to insure the choice of Adams, a number of Federalist electors threw away their second votes, and thus brought about the election of Jefferson to the second place instead of Pinckney. Jefferson, indeed, showed the most unexpected strength, and Adams was chosen President by three votes only over his Republican rival, — the votes being seventy-one for Adams and sixty-eight for Jefferson. The Federalists kept control of the Senate, but the moderate Republicans held the balance of power in the House of Representatives.

Election of 1796

Adams, at the outset of his administration, made the fatal blunder of retaining Washington's official advisers in office. Hamilton had long since retired from the cabinet, and the heads of departments were men of fair abilities only, and could easily have been replaced. They regarded Hamilton as their chief and intrigued against Adams from the beginning to the end of his term of office. Beset by these difficulties at home, Adams had a most arduous task in the settlement of the troubles with France.

207. Breach with France, 1796–99. — The new President had scarcely assumed office when news arrived that Pinckney had been sent away from Paris. Adams determined, however, to make another effort to renew friendly relations with the former ally of America. He appointed a commission, consisting of Elbridge Gerry, a Massachusetts Republican, John Marshall, a Virginia Federalist, and Charles C. Pinckney, the rejected minister, to go to France and endeavor to preserve peace with the French Republic, now under the government of the Directory. The commissioners met with a most extraordinary reception at Paris (October, 1797). Agents came to them whose names were disguised in the dispatches under the letters X, Y, and Z. They demanded money as the price of receiving the Americans. This was refused, and the commissioners were directed to leave France. An attempt was made, however, to negotiate separately with Gerry, who was regarded as representing the Jeffersonian party. News traveled slowly in those days, and it was March, 1798, before Adams communicated to Congress the failure of this ill-starred commission. In June the President closed a message to Congress with the assertion that he would "never send another minister to France without assurances that he would be received, respected, and honored as the representative of a great, free, powerful, and independent nation."

Commissioners sent to France, 1797. Schouler's *United States*, I, 358–367.

The X, Y, Z affair. Winsor's *America*, VII, 472; Schouler's *United States*, I, 385–398.

Instantly, there was a change of feeling in Congress. The Federalists gained control of both houses, and pushed forward preparations for defense. A new army organization was begun, with Washington in nominal command; but the real direction of military affairs was intrusted to Hamilton, who was forced on the President by Washington as the price of his own co-operation. The building of a navy, which had already been begun during recent disputes with the piratical states of northern Africa, was now pushed on with vigor. Many of the new vessels did excellent service. In their home policy, however, the Federalists committed grave blunders.

Preparations for war. Schouler's *United States*, I, 415–422.

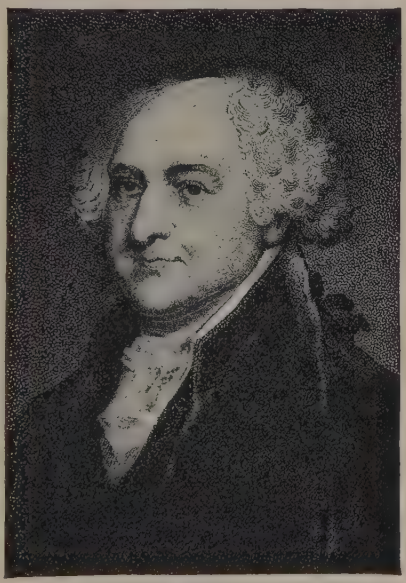
Maclay's *Navy*, I, 155–213.

Restrictive legislation, 1798. Schouler's *United States*, I, 404–410; *American History Leaflets*, No. 15.

208. Alien and Sedition Acts, 1798. — These acts were the outcome of an exaggerated fear of the Republicans on the part of the Federalists; even Washington, who was now a strict party man, whatever he may have been in his earlier years, proposed to prevent Republicans from joining the army of which he was the head. The first law against aliens was the Naturalization Act (June 18, 1798), raising the period of residence preliminary to naturalization from five to fourteen years. The second law (June 25, 1798), which is usually cited as the Alien Act, authorized the President to order any aliens "he shall judge dangerous to the peace and safety of the United States, or shall have reasonable grounds to suspect are concerned in any treasonable or secret machinations against the government thereof, to depart out of the territory of the United States"; or he might, at his discretion, grant an alien a "license to . . . remain within the United States for such time as he shall judge proper, and at such place as he may designate," under such bonds as he may think fit, and he might revoke the license at any time. An alien returning could be "imprisoned so long as, in the opinion of the President, the public safety may require." The third law directed against aliens, which is generally cited as the Second Alien

Mrs. John Adams

Act, authorized the President in time of war "to arrest, restrain, secure, and remove as alien enemies all natives or subjects of such hostile nation or government as are not actually naturalized." The Sedition Act (July 14, 1798) made it a crime punishable "by a fine not exceeding five thousand dollars and by imprisonment during a term of not less than six months nor exceeding five years" for any persons to "unlawfully combine" with intent to oppose any measure of the government or to impede the operation of any law, or to intimidate any government official. Furthermore, any person who should write, print, utter, or publish anything, or cause anything to be so written or uttered, with intent to defame the government of the United States, or to excite unlawful combinations, should be punished by a fine not exceeding two thousand dollars and by imprisonment not exceeding two years. The Alien Act was to be in force for two years and the Sedition Act until March 3, 1801, the end of Adams's term. These Alien and Sedition Acts were modeled on similar laws which had recently been passed in England, and, with the Naturalization Act, were aimed principally against the Republican politicians and newspaper writers, many of whom were foreigners. These laws



John Adams, after a painting by Stuart

were opposed in the House of Representatives by the Republicans, ably led by Albert Gallatin, an immigrant from Switzerland; but their opposition was unavailing. Adams seems to have taken slight interest in the matter; he never acted under the alien acts, but they cannot be said to have been entirely inoperative, as two or three "shiploads" of aliens left the country rather than incur the risk of remaining. The Sedition Act was put into force several times, notably against Callender, a Republican newspaper editor. Every prosecution under the act was given the greatest publicity by the Republicans and lost hundreds, if not thousands, of votes to the Federalists. Jefferson also adopted the old revolutionary expedient of legislative resolves, in order to bring the harsh measures of the Federalists prominently before the people.

Effects of these laws.

Kentucky Resolutions, 1798. *American History Leaflets*, No. 15; Schouler's *United States*, I, 433-436.

209. Virginia and Kentucky Resolutions, 1798, 1799. — The Kentucky Resolutions, which were the first to be adopted, were introduced into the legislature of that state by Mr. Breckinridge; their real author, however, was Jefferson. His original draft contained the logical conclusions from the premises of the argument which went beyond what the Kentucky legislators were ready to place on record in 1798. In 1799, however, they had reached the necessary pitch of indignation to adopt the whole of Jefferson's argument. There are other differences between Jefferson's draft and the resolutions as voted either in 1798 or 1799. It will be convenient to consider the two sets as one, and to note one or two of the changes from the original writing. The Resolutions of 1798 open with the statement "that the several states composing the United States of America are not united on the principle of unlimited submission to their general government; but that by compact under the style and title of a constitution . . . they [1] constituted a general government for special purposes, delegated to that government certain definite powers . . .; and that whereso-ever the general government assumes undelegated powers, its acts are unauthoritative, void, and are of no force:

[2] That to this compact each state acceded as a state, and is an integral party, its co-states forming as to itself, the other party . . . [3] that as in all other cases of compact among parties having no common judge, each party has a right to judge for itself, as well of infractions as of the mode and measure of redress." The Resolutions then proceed to state that the acts enumerated in the preceding section and an act to punish frauds committed on the Bank of the United States, which was passed in June, 1798, are altogether void and of no force, as they were contrary to the Constitution and the amendments.

Kentucky Resolutions of 1799. *American History Leaflets*, No. 15.

Jefferson's original draft had contained the further statement "that every state has a natural right in a case not within the compact (*casus non fœderis*) to nullify of their own authority all assumptions of power by others within their limits." This statement was omitted from the Resolutions of 1798; it appears in those of 1799 in an even stronger form: "That the several states who formed that instrument [the Constitution] being sovereign and independent, have the unquestionable right to judge of the infraction [of that instrument]; and *that a nullification, by those sovereignties, of all unauthorized acts done under color of that instrument, is the rightful remedy.*"

Virginia Resolutions, 1798. *American History Leaflets*, No. 15.

The Virginia Resolutions were drawn by Madison and were much milder in tone. They termed the Constitution, however, "a compact," and called upon the other states to join with Virginia in declaring the Alien and Sedition Acts unconstitutional. These Resolutions and the Kentucky Resolutions of 1798 were communicated to the other states. They evoked strong condemnation from the legislatures of the Northern states and received no support from those of the Southern states. It is difficult to say what remedy Jefferson and Madison desired to see adopted; probably nothing more than a new constitutional convention; certainly they had no desire to see the Union dissolved, and in all probability wished to do nothing more than to place the compact theory of the Constitution before the people

in a clear and unmistakable manner. In this they succeeded, and the Resolutions undoubtedly did much to turn the current of public opinion against the authors of the Alien and Sedition Acts.

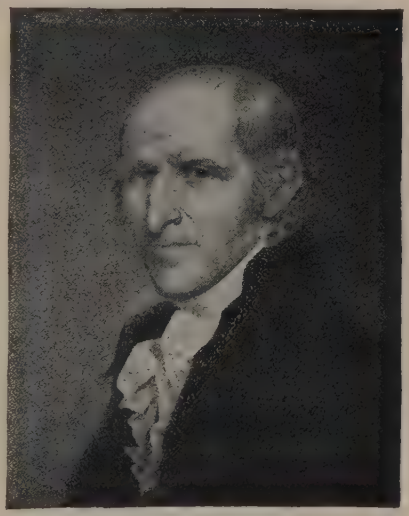
Hamilton's letter to Dayton.

A letter which Hamilton wrote to Mr. Dayton, the Federalist Speaker of the House of Representatives, contains an enunciation of the extreme Federalist view, and may be regarded, in some measure, as an answer to the Kentucky and Virginia Resolutions. Its author advocated the cutting up of the states into small divisions, for the purpose of increasing the number and power of the federal courts. He also suggested the adoption of an amendment to the Constitution, giving Congress the power to divide the larger states into two or more states. He further advised the retention of the army on its present footing, even if peace should be made with France. At this moment, Adams reopened negotiations with France, and by concluding a treaty with that country, put an abrupt ending to the dreams of Hamilton and his friends and widened the breach in the Federalist party beyond possibility of repair.

France draws back. Schouler's *United States*, I, 429.

210. Treaty with France, 1800. — The publication of the X, Y, Z correspondence caused great excitement among the governing circles in France. Talleyrand, who had been at the bottom of the intrigue, saw that he had gone too far, and tried to draw back; he caused a message to be conveyed to Vans Murray, American minister to the Netherlands, that if the United States would send another envoy to France, he would be "received as the representative of a great, free, powerful, and independent nation." Adams grasped eagerly at the opportunity to bring peace to his country. Without consulting his cabinet, he nominated Vans Murray as minister to France. The Federalist leaders in the Senate, amazed at this change of front, seemed determined to reject the nomination, when Adams substituted a commission consisting of Oliver Ellsworth, Jay's successor as Chief Justice, Patrick Henry, and Vans

Murray; and these nominations were confirmed. Henry, now old and infirm, declined to serve, and William R. Davie of North Carolina, another Southern Federalist, was appointed in his stead. Adams also seized the first opportunity to dismiss the most treacherous of his advisers, and substituted John Marshall in place of Timothy Pickering as Secretary of State.



Timothy Pickering

Treaty of 1800. Schouler's *United States*, I, 441–447, 451–456, 488.

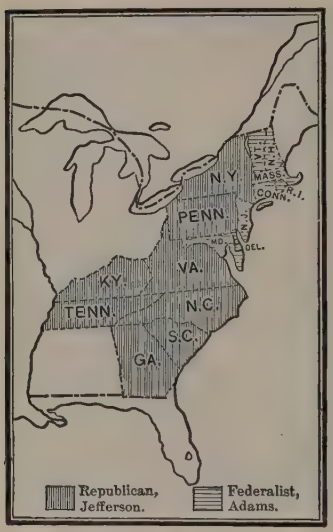
Napoleon Bonaparte, as First Consul, was now at the head of affairs in France. The commissioners were well received, and a French commission, at the head of which was Joseph Bonaparte, Napoleon's brother, was appointed to negotiate with them. In many respects, the treaty thus concluded was satisfactory to both parties; but Napoleon declined to pay for American property seized by the French government or by its agents during the recent troubles, or to consent to the formal abandonment of the treaty of 1778. These subjects were reserved for future negotiations. The United States Senate refused to ratify this part of the arrangement. Ultimately, it was agreed that the United States should give up its contention as to the payment of claims, and Napoleon consented to regard the treaty of 1778 as no longer binding. In this way, by the action of the Senate, the United States became bound, at least morally, to compensate its own citizens for French spolia-

The French Spoliation Claims.

tions committed prior to 1800, which were thus bartered away for the final renunciation of the treaty of 1778 with its formidable guarantee of the French West India possessions. It is only within recent years, however, when legal proof has become almost impossible, that Congress has consented to pay these "French spoliation claims."

Presidential campaign of 1800. Schouler's *United States*, I, 472–476, 479–486; *Stanwood's *Elections*, 30–44.

211. The Election of 1800. — The presidential election of 1800 was fought with great vigor and with great bitterness of language and temper. John Adams, by his honest and patriotic policy, had saved the country from a disastrous war, and had deeply offended the leaders of the Federalist party. He was still popular with the people, who recognized his fearless honesty and remembered his great services during the Revolution. He became the Federalist candidate for the presidency because there was no one else to nominate with any chance of success. Hamilton, instead of accepting his candidacy with good grace and supporting the party candidate with all his strength and influence, embarked on a course of petty intrigue, similar to the intrigues of 1788 and 1796, which have been already described (pp. 259, 282). Charles Cotesworth Pinckney of South Carolina was the Federalist candidate for second place. It was proposed that the South Carolina electors should vote for Pinckney and Jefferson, in the expectation that the votes thus withdrawn from Adams and given to Jefferson would return Adams to second place and bring in Pinckney as President. The



Election of 1800

Hamilton's intrigues.

latter honorably refused to be a party to such a transaction. Hamilton also sought to discredit Adams by writing a long dissertation to show his unfitness for the office of chief magistrate. This paper was based on information furnished by Oliver Wolcott, who had succeeded Hamilton as Secretary of the Treasury. The Republicans obtained a copy and gave it the widest publication. The Federalists were probably doomed to failure, as the heavy taxes made necessary by the preparations for war, and the hatred which the prosecutions under the Sedition Act had aroused, had converted thousands to the Republican side. That party was now thoroughly organized by Jefferson and the other leaders, especially Aaron Burr, a disreputable politician, who had been nominated for the vice-presidency because he controlled the votes of New York. When the electoral ballots were counted, it was found that Jefferson and Burr had each received seventy-three votes; Adams, sixty-five; and Pinckney, sixty-four. As the Constitution then stood, the electors did not state their preference for President, and in case of a tie the House of Representatives, voting by states, must elect one of the two highest, President.

Election of Jefferson by the House. Schouler's *United States*, I, 492–500.

It happened that the Federalists were in a majority in the House, both as ordinarily constituted and when voting by states. Enraged at their defeat, and embittered beyond all measure with Jefferson, they determined to thwart the will of the people and elect Burr; for there was no question as to which candidate the Republicans desired to have President. This was against the advice of Hamilton, who distrusted and hated Burr even more than he did Jefferson. Thirty-six ballots were necessary before the Federalists could bring themselves to acquiesce in Jefferson's election, and even then they refused to vote for him, and permitted him to be chosen only by absenting themselves. The Federalists lost greatly by this political maneuver. Once in power, the Republicans proposed an amendment to the Constitution revising the method of choosing the President and Vice-President (p. 319).

The Judiciary Act, 1801. Schouler's *United States*, I, 500.

212. The Judiciary Act, 1801. — Defeated in the election, the Federalists "retreated into the Judiciary as a stronghold." The Judiciary, as it was established at the time of the organization of the government, was more than sufficient for the transaction of all the business that was likely to come before it for many years. Nevertheless, the Federalists, after the results of the election were known, pushed through Congress an act greatly enlarging it and providing many new and valuable places to be filled by the President of the defeated party. The Constitution forbids a member of Congress to accept an office which has been created, or the emoluments of which have been increased, during his term as a member of that body. This requirement was now evaded by promoting many district judges to the new positions, and filling the vacancies thus created by the appointment of members of Congress. One of Adams's judicial appointments deserves a fuller mention. Oliver Ellsworth, Jay's successor in the chief-justiceship, resigned, and John Marshall was nominated in his stead. He was at the moment acting as Secretary of State and for a few days performed the duties of both offices,— a combination of executive and judicial functions not contemplated by the Constitution. He proved to be the ablest legal luminary America has yet produced. For thirty-five years he remained at the head of the Supreme Court, continuing in that branch of the government the broad constructive theories of constitutional interpretation maintained by the Federalists.

Adams's "midnight appointments."

Adams also filled up every vacant office in the government, and Marshall was still busy countersigning commissions when the hour of twelve struck on the night of March 3, 1801, and the Federalist supremacy came to an end. At dawn the next morning Adams set out for his home in Quincy, Massachusetts, without waiting to greet his unwelcome successor.

SUGGESTIVE QUESTIONS AND TOPICS

§§ 191–198. Organization of the Government

a. Put as a heading in note-book "Party Government"; begin its outline with the following heads: definition of party; why are political parties necessary? trace origin and growth of party government in the United States; discuss organization of parties; describe the present political organizations in your state; ought a citizen to attach himself to a party? what are Independents and what political value have they, if any? what political value has a "regular" party man, if any?

b. State the fundamental principles held by the first two great political parties; are these principles party issues to-day?

c. Compare Washington's Inaugural Address with that of the present chief magistrate under the following heads: personal tone, specific statement, declaration of political principles, self-effacement, English style. Account for difference.

d. State the legal relations of the cabinet officers to the President; to Congress. Compare with British cabinet system.

e. Was the declaration that "Congress had no authority to interfere with slavery within the states" binding on future Congresses?

§§ 200–204. Foreign Relations

a. Bring to class a brief digest of the history of Great Britain and France, 1783–1801.

b. Review the services of France to the United States, 1776–83, and then discuss her treatment by the United States at this period.

c. Why does the Neutrality Proclamation mark an epoch in United States history?

§ 205. Washington's Farewell Address

Enter in your note-book Washington's views touching the following points: the continuance of the Union, sectional parties, combinations and associations, changes in Constitution, federal authority, party spirit, encroachments by departments, public education, national antipathies and attachments, European alliances. Watch the course of the narration to see how far Washington's warnings were prophetic.

§§ 206–210. John Adams's Administration

a. What is the significance in United States history of French relations at this time?

b. What are the features of the present Naturalization Act?

c. Under what headings in note-book must matter in § 209 be entered? Why are the "compact theory" and "nullification" spoken of as premise and conclusion? Why is Madison called the "Father of the Constitution"? Has his testimony in the Virginia Resolutions as to the nature of the Constitution any value? Carefully define interposition, nullification.

§ 211. Election of 1800

a. Breach in Federalist party: causes; describe and criticise conduct of opponents; results.

b. Explain the original method of election of President and state its advantages and disadvantages; what changes were made by the Twelfth Amendment? How far were they improvements? What method would you recommend, and why?

General Questions

a. Consider the Federalist party under the following heads: prominent men, theory, services, errors; why was it natural and fortunate that such a party should at first direct the destinies of the United States? Why natural and fortunate that it should fall?

b. Look up Principles of Neutrality, Principles of Consular Powers.

c. Enter in note-book list of constitutional questions which arose during this period.

Topics for Individual Investigation

a. Summarize Hamilton's statements of foreign debt, domestic debt, state debts; define his attitude toward each, and summarize his reasons (*Guide*, 332).

b. Explain the Funding Bill (*Guide*, 332).

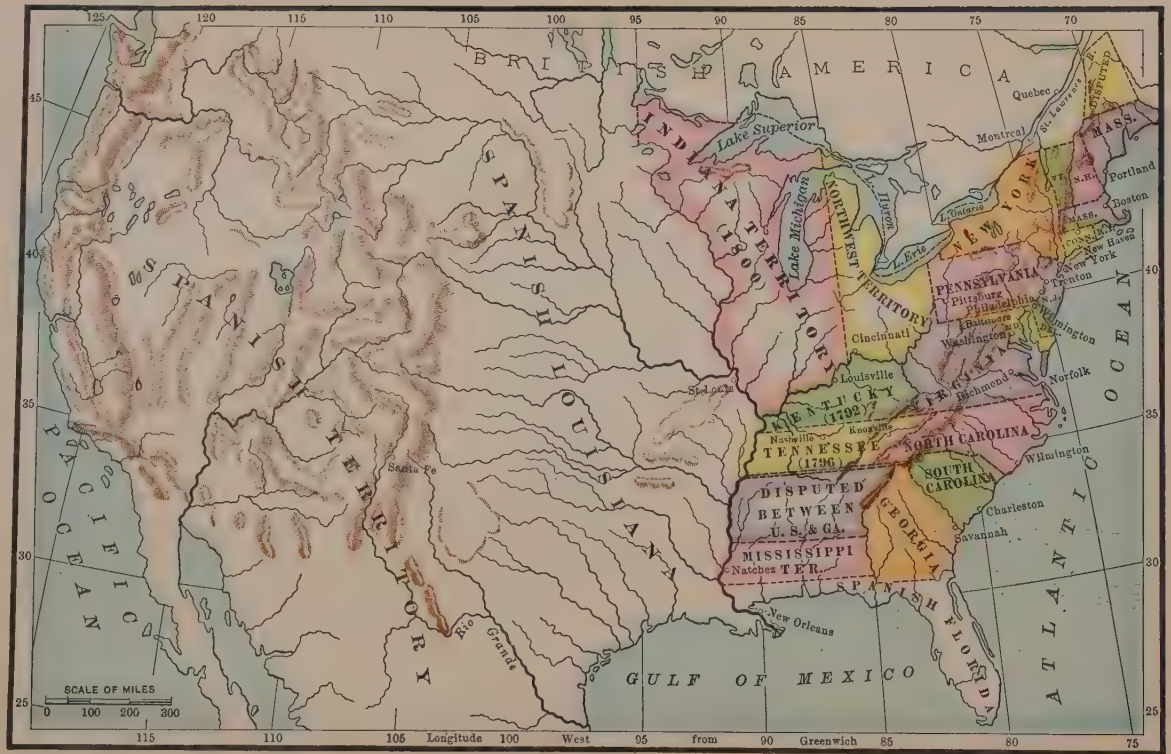
c. Explain the compromise over Assumption (*Guide*, 332).

d. Summarize Hamilton's argument on the constitutionality of the United States Bank; summarize Jefferson's argument (*Guide*, 334).

e. Summarize the leading speeches on Jay's Treaty (279, second reference).

f. Summarize the repressive acts of 1798 (284, second reference).

g. Summarize the Kentucky Resolutions, the Virginia Resolutions (286, 287).



No. V. The United States, 1800

CHAPTER VIII

THE JEFFERSONIAN REPUBLICANS, 1801–1812

Books for Consultation

General Readings. — Johnston's *American Politics*, 55–77; Higginson's *Larger History*, 344–365; Hart's *Formation of the Union*, 176–206; Walker's *Making of the Nation*, 168–229; Schouler's *United States*, II, ch. vii.

Special Accounts. — Wilson's *Presidents;* Schouler's *Jefferson* (M. A.); Morse's *J. Q. Adams* (S. S.); Gay's *Madison* (S. S.); Adams's *John Randolph* (S. S.); Roosevelt's *Winning of the West;* Larned's *History for Ready Reference;* Schouler's *United States;* *Hildreth's *United States;* Maurice Thompson's *Louisiana.* Larger biographies of the leading statesmen, *Guide*, § 25.

Sources. — Cooper and Fenton, *American Politics;* Stedman and Hutchinson, *Library of American Literature;* Benton's *Abridgment;* *American History Leaflets;* Williams's *Statesman's Manual;* Adams's *New England Federalism.* Writings of the leading statesmen, *Guide*, §§ 32, 33; MacDonald's *Documents.*

Maps. — Mac Coun's *Historical Geography;* Hart's *Epoch Maps;* Winsor's *America.*

Bibliography. — Channing and Hart, *Guide to American History*, §§ 56 a, 56 b (General Readings), §§ 167–171 (Topics and References).

Illustrative Material. — McMaster's *United States;* Maclay's *United States Navy;* Goodrich's *Recollections;* Dwight's *Travels;* J. Q. Adams's *Diary;* Parton's *Burr*, *Jackson*, and *Jefferson;* Schuyler's *American Diplomacy;* Sullivan's *Familiar Letters;* Basil Hall's *Voyages and Travels;* Drake's *Making of the West.*

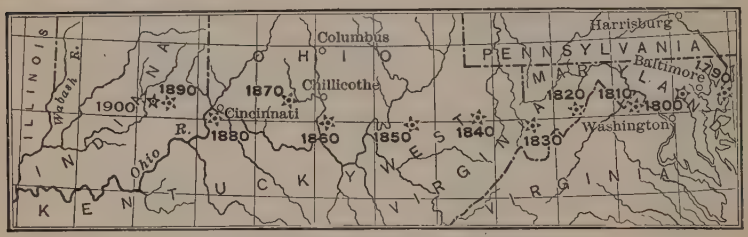
Bynner's *Zachary Phips;* Hale's *Man Without a Country* and *Philip Nolan's Friends;* Paulding's *Diverting History of John Bull.*

THE JEFFERSONIAN REPUBLICANS, 1801–1812

Rise of American inventive genius.

213. American Ideals, 1800. — Before 1800, the American people seemed to stand still, as if lost in the traditions and prejudices of the past. The great political overturn

which some writers call the Revolution of 1800, marks the point of time when this indifference gave way to an outburst of mental activity and to a fertility of invention that, in the life of one generation (1800–30), changed the American people into the energetic race it has ever since been. It lost much of its natural opposition to that which is new and prepared to take advantage of the great opportunities which the application of modern invention to the natural wealth of the United States placed within reach. At the same time, the American people sought to elevate the intellectual and the material position of the average citizen. These



Movement of the center of population

tasks were difficult, the laborers were few, and a less hopeful race might well have been dismayed at the work before it.

Numbers, 1800.

214. Population in 1800. — The census of 1800 gives the total population of the United States as about five millions (5,308,483), in comparison with a population of four millions in 1790, and sixteen hundred thousand in 1760. At the beginning of the century the population of the British Islands was some fifteen millions, and that of France, over twenty-seven millions. These five million Americans were scattered over nearly three hundred thousand square miles of territory, that being the "settled area" according to the census. At least two thirds, or three and one half millions, lived on tide water, or within fifty miles of it. The remainder inhabited the slopes of the Alleghanies or the new settlements in the Northwest Territory,

Kentucky, and Tennessee, which were then frequently spoken of as "The West."

Settlement of the West.

The growth of this latter region had been wonderful for those days, before the time of steam. In 1790 there were about one hundred and eleven thousand settlers in the West; their number had increased in ten years to three hundred and seventy thousand, distributed as follows: in Kentucky, two hundred and twenty thousand, including forty thousand slaves; in Tennessee, one hundred and five thousand, of whom fourteen thousand were slaves; and in the Northwest Territory, forty-five thousand, all free.

Distribution of population.

The center of population was near Baltimore, but it had already advanced forty-one miles on its westward march, — in 1790 it had been twenty-three miles east of Baltimore, and now it was eighteen miles west of that city. The inhabitants of the original thirteen states and of Vermont were distributed somewhat as follows: north of Mason and Dixon's line (p. 99) there were nearly two million seven hundred thousand, including one hundred thousand slaves; south of that line there were two million two hundred thousand, of whom nine hundred thousand were slaves. The white population of the South was therefore just one half of that of the North. The state which possessed the largest slave population was Virginia, with three hundred and fifty thousand slaves, in a total population of nearly nine hundred thousand; in South Carolina there were thirty thousand whites and seventy thousand blacks.

Racial elements.

The American people has usually been regarded as of English origin, and, as a matter of fact, that race was the most numerous and the most important; and American institutions have their source mainly in English institutions, as developed in colonial days. The first three quarters of the eighteenth century had witnessed a great immigration from Europe to America; but from 1775 to 1800 few immigrants landed on the shores of the United States. Many men who played prominent parts in the formation of the

Constitution and in the organization of the government were born outside the limits of the United States. For instance, the three great financiers, Robert Morris, Alexander Hamilton, and Albert Gallatin, were foreign born; James Wilson, who contributed powerfully to secure the ratification of the Constitution, was a Scot, and William Jackson, the defender of slavery, was an Englishman. But, with the exception of those foreigners who were already on the soil in 1775, the citizens of the United States in 1800 were born in America. They were descended from all the nations of northwestern Europe, and it will be interesting to note the racial origins of the inhabitants of the several sections. In New England and Virginia, there was less of the non-English element than in any other portion of the country; but even in New England there were descendants of Scots banished by Cromwell after the victories of Dunbar and Worcester, of Scotch-Irish immigrants from the north of Ireland, and of Huguenots who had fled from France at the revocation of the Edict of Nantes. In the newly settled portions of Virginia there were often descendants of Scotch-Irish immigrants and of German Protestants. But taking the New England states and Virginia as a whole, it may fairly be said that the bulk of the people were of English extraction.

New England and Virginia.

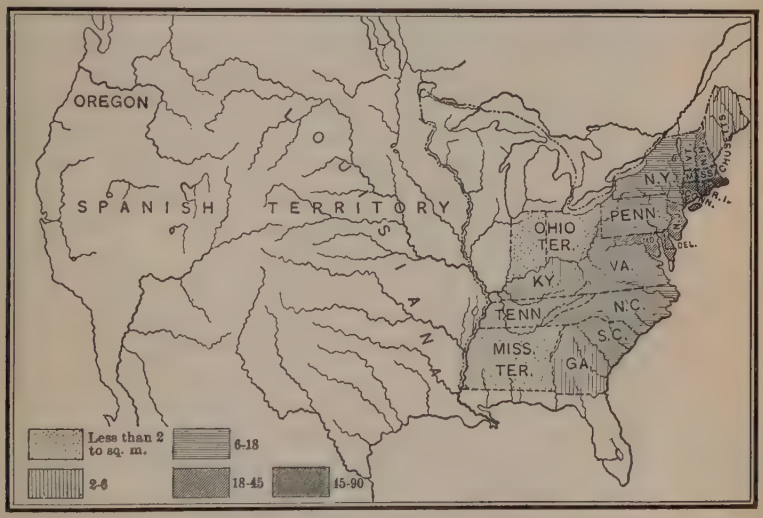
In the Middle states there was the greatest diversity of population. New York City, originally settled by the Dutch, contained people of many races even as far back as the outbreak of the Revolutionary War; on the banks of the Hudson and the Mohawk, there were large German settlements. In Pennsylvania and Maryland were people of many races and religions, and in the extreme south were large numbers of Germans, French, Scots, and Scotch-Irish. These various races were all drawn from the two great branches of the Aryan stock, — Germanic and Keltic, — which have always shown the greatest power of living side by side. They lived happily together on American soil,

The Middle states.

and, by a process of growing together, laid the foundation of a strong aggressive race, the American people, which came into existence in the epoch between the inauguration of Thomas Jefferson and the election of Andrew Jackson.

215. Analysis of the Population. — The collection of large portions of the populace in cities and towns had scarcely begun. Only about five per cent of the total

Cities and towns.



Density of population, 1800

population can be regarded as urban as distinguished from rural. This part of the people was gathered into eleven cities and towns, only five of which — Philadelphia, New York, Baltimore, Boston, and Charleston — would now be regarded as urban. Philadelphia, the largest of them, contained seventy thousand inhabitants. It was the finest city in America, and patriotic Americans regarded it as surpassing Paris and London in elegance: the principal streets were lighted, many of them were paved, a system

of drainage was already devised, and water was furnished to the inhabitants by wooden pipes from a pure source of supply outside the city. New York, with sixty thousand inhabitants, was behind Philadelphia in introducing improvements, but, even in 1800, it must have been an agreeable place of residence; the houses then stood near together on the southern end of Manhattan Island, and Broadway was a fashionable drive. Baltimore, the third in point of population (twenty-six thousand), was situated south of Mason and Dixon's line; but it was a Pennsylvania seaport fully as much as a Maryland town, as it absorbed most of the commerce of the Susquehanna valley. Boston, with twenty-four thousand inhabitants, was a thickly built little town with narrow streets and a thriving commerce. Charleston contained twenty thousand souls, and bore a distinctively Southern aspect; it controlled the rice trade, and was the place of residence of the wealthy planters of South Carolina. Providence, Savannah, Norfolk, Richmond, Albany, and Portsmouth, each contained between eight and five thousand inhabitants. Washington, the new capital, had been recently occupied; it was hardly a village, except on paper, and contained only the Capitol, the White House, two departmental buildings, and a few boarding houses; the public buildings were still uncompleted; Mrs. Adams found the audience room of the White House convenient for drying clothes, and the representatives met in a temporary building erected in the middle of the unfinished Capitol.

Stedman and Hutchinson, III, 302.

Area.

216. Various Statistics. — The area of the United States was about eight hundred thousand square miles (849,145), of which only three hundred thousand were partially occupied. The total valuation of the United States was estimated to be about eighteen hundred million dollars, or about three hundred and twenty-eight dollars per head (p. 579).

Exports and imports.

Notwithstanding the obstacles placed in the way of the West India trade, and the dislocation of commerce, owing

to the breach with France, the country was prosperous, and foreign trade had increased in a marvelous manner. The exports, excluding bullion, were valued at over twenty million dollars in 1790, and at over seventy millions in 1800. The imports had increased at a still more rapid rate; in 1790 they were valued at twenty-five millions, in 1800 at over ninety millions.

Industries.

217. Occupations of the People. — Agriculture was the principal occupation of the people, although the commerce of the Northern states was of great importance. Manufacturing had been begun, but as yet was in its infancy, and the fisheries remained a source of great proportional wealth. Wheat and other food grains were largely exported from the middle group of states, including those on Chesapeake Bay; New Jersey produced more than any other. In 1791 more than six hundred thousand barrels of flour and one million bushels of wheat were exported, and about double that amount in 1800. The soil and climate of New England were unsuited to agriculture on an extensive scale, but potatoes, onions, turnips, and carrots flourished and formed an important article of export to the West India Islands, whenever they were open to American commerce. Tobacco and rice were the great staples of the Southern states, and with naval stores and indigo were the most valuable exports of that section; the cultivation of cotton for export was just beginning to attract attention.

Commerce.

Foreign commerce was thriving in 1800, and vessels flying the flag of the United States had already visited every sea; most of these merchant ships were very small, seldom exceeding four hundred tons, and the largest vessel in the navy measured only fifteen hundred tons. Coastwise navigation was still uncertain and dangerous, but more vessels were employed, and departures and arrivals were more frequent and more punctual. The use of steam for motive power had as yet attracted slight attention: in 1803 there were probably only five steam engines in the country. Three years later (1806) Robert Fulton began the con-

Robert Fulton. Hubert's *Inventors*, ch. ii; Thurston's *Fulton* (M. A.).

struction of his steamboat, amid the jeers of suspicious and incredulous onlookers. The age of steam was near at hand.

The manufacture of iron had been begun in early colonial days, but its successful development had been prevented by the repressive policy of the British Parliament. There were a few iron mills in Pennsylvania, and the manufacture of small articles, as nails, was actively carried on as a household industry in New England. The vast mineral resources of the United States were practically untouched.

Robert Fulton

Cotton culture and manufacture.

218. **Cotton Culture and Manufacture.** — One of the things which impresses the student of the colonial and early constitutional periods is the commercial and political intimacy which then existed between mercantile New England and rice-growing South Carolina. The planters of the latter colony were the customers of the slave dealers of the North, and the commerce of the Southern colony and state was largely in the hands of New England shipowners and merchants. The first thirty years of the nineteenth century

saw a great revulsion of feeling in these two sections, the cause of which may be summed up in one word, — cotton: the Northerners began to manufacture cotton and desired to be protected from English competition; the Southerners began to grow cotton in large quantities for export, and came to regard the protective system as hostile to the prosecution of their industry. By fastening slavery on the

Eli Whitney

cotton-growing states, this industry also dominated the politics of the second third of the century.

Improvements in spinning and weaving machinery.

The successful adaptation of the steam engine to the moving of machinery was closely connected in England with great improvements in the machinery for spinning and weaving: Hargreaves invented the spinning jenny in 1767; two years later (1769) Arkwright produced the drawing frame; Crompton followed with the mule spinner in 1784; and Cartwright with the power loom in 1785. These great inventions stimulated the manufacture of cotton cloth

in England and vastly increased the demand for cotton, which was then supplied by Egypt and India. Cotton had been grown in small quantities in the Southern colonies since the middle of the seventeenth century, and had been used for the making of coarse clothing in the South. In 1786 the results of cotton raising were sufficiently favorable to induce Madison to assert, "There is no reason to doubt that the United States will one day become a great cotton-producing country." The great obstacle to the realization of this expectation was the expense incurred in the separation of the fiber from the seed. This process had to be tiresomely performed by hand, and labor was expensive, even in the South. Notwithstanding these adverse conditions, the cultivation of cotton proceeded. In 1790 the South produced two hundred thousand pounds of cotton, and in the next year (1791) exported one hundred and eighty-nine thousand pounds. Two years later (1793), Eli Whitney, a Connecticut schoolmaster, then residing in Georgia, invented an arrangement by which the cotton fiber was drawn by saw teeth through openings too small to admit of the passage of the seed, and thus multiplied the capacity of one slave in cleaning cotton about three hundred fold. Whitney's invention gained billions of dollars for the Southerners; he himself was mobbed when he sought to enforce his right to the production of his cunning brain. The exportation of cotton now increased with marvelous rapidity: in 1800 nearly twenty million pounds, worth five million dollars, were exported, an amount which was exactly doubled in three years, and, by 1824, the amount had increased to one hundred and forty-two million pounds, worth twenty-two million dollars.

Whitney's cotton gin, 1793. Hubert's *Inventors*, ch. iii.

Rise of cotton manufacture in America.

The manufacture of cotton cloth in the United States proceeded more slowly. Parliament (1774) forbade the exportation of machinery, or any patterns of machinery, for the spinning or weaving of cotton. Spinning machinery, however, was set up in the United States, at Beverly

and Bridgewater in Massachusetts, Pawtucket in Rhode Island, Norwich in Connecticut, and at Philadelphia, but it was of slight efficiency. In 1790 Samuel Slater, an Englishman, who had worked as an apprentice to Arkwright, came to America. In partnership with Brown and Almy, two Providence men, he reproduced from memory Arkwright's machinery, and set it up in a small mill which his associates had started two years before. Other spinning mills were soon erected, but in 1812 there was no machinery for weaving in the country. Its introduction was due to Francis Cabot Lowell of Boston, who visited England, studied the process of manufacture, and returned with many new ideas, but without patterns or machinery. He had observed keenly, however, and in company with Patrick T. Jackson devised a power loom. In 1813, with the assistance of Nathan Appleton, they built a small factory at Waltham, near Boston, and began the spinning and weaving of cotton in one factory for the first time in history. From these small beginnings, the industry soon grew into large proportions.

Samuel Slater.

F. C. Lowell.

219. **Slavery.** — In a preceding chapter, the gradual spread of emancipation in the North has been mentioned (p. 227). Since the adoption of the Constitution, New York had joined the other Northern states in providing for the gradual emancipation of the negro, and in 1800 New Jersey was the only state north of Mason and Dixon's line which had not provided for the freeing of the slaves. She, too, passed a gradual emancipation act in 1804. Of all these states, Massachusetts and Vermont alone declared slavery to be illegal; in the other states, the process of emancipation was so slow, that in 1840 there were still one thousand one hundred and nine negroes legally held in bondage in the North; Massachusetts, Maine, Vermont, and Michigan were the only states in which there were no slaves.

Process of emancipation in the North.

In the South, there were several emancipation societies in 1800, and many men expected or hoped for the speedy

Emancipation in the South.

extinction of slavery in that part of the country. There were then nearly a million slaves in that section, and the increasing profitableness of cotton culture put an end to projects of emancipation. The price of slaves in the cotton states began to rise; states which had prohibited the importation of slaves repealed the prohibitory statutes; and the Virginians, who had been anxious to bring about emancipation in 1789, began to lose interest in the matter now that they saw a profitable market for their surplus slaves in the states to the southward. The great expansion of the cotton industry increased the wealth of the country, but in so far as it fixed slavery on the nation, it can be regarded in no other light than as a terrible evil,— for the ill wrought by slavery cannot be overestimated.

Influence of slavery.

It was not only in its evil influence on the society in which it flourished that slavery worked injury to the country; it divided the nation into two hostile sections, whose interests and modes of thought speedily became antagonistic. This division was due in part to the fact that those portions of the West situated north of the Ohio River were peopled mainly by emigrants from the older Northern states on the seaboard, and those states lying south of that river were settled almost entirely by colonists from the South, who migrated thither with their slaves. A large part of Kentucky and Tennessee was composed of mountainous regions, and was outside of the cotton belt. These states, therefore, although tolerating slavery, developed on different lines from the cotton-growing states south of them.

Improvements in transport. Fiske's *Critical Period*, 60–63.

220. **Internal Communication.** — Slight improvements had been made in transportation since the days when the first congressmen journeyed to Philadelphia. The roads in the vicinity of the larger towns and those forming the mail route, which extended from Maine to Georgia, had been improved. It now took twenty days to carry the mails from the Kennebec to the Savannah, and twenty-two days from Philadelphia to Nashville, Tennessee. Coaches ran from Boston to New York three times a week, and occu-

pied three days on the journey, and a coach ran from New York to Philadelphia, occupying nearly two days in going from the Hudson to the Delaware. South of Philadelphia there was a good road as far as Baltimore; south of that point it was bad and dangerous. Beyond the Potomac, the roads rapidly decreased in safety and number, until south of the James the traveler was compelled to have resort to horseback; a coach which ran from Charleston to Savannah was the only public conveyance south of the Potomac. In fact, it may be said without much fear of exaggeration, that San Francisco, for all practical purposes, is nearer to New York at the present day than Washington was in 1800.

Torpidity of intellectual life.

221. Intellectual Life. — The intellectual life of the people was at a standstill. Philadelphia remained the literary center of the country, but there was backwardness even there. Franklin and Rittenhouse, who had given it its prominence in science, were both dead, and had left no one to fill their places. A small group of literary men, of whom Philip Freneau is the best known, produced the most creditable literary work of the day. At New Haven, the Dwights, Timothy and Theodore, with Joel Barlow, strove to establish a literary center; their success may be gathered from a perusal of their principal works, — Barlow's *Columbiad* and Timothy Dwight's *Greenfield Hill;* the latter's *Travels in New England and New York* is one of the most instructive books of the time. The great literary masterpieces, save the classics, were scarcely studied at all: Shakspere was dreaded in New England, a German book could not be bought in Boston, nor was there one in the library of the college at Cambridge; Schiller and Goethe were unknown even in Pennsylvania, except possibly in translations. The literary men who were to give reputation to American letters during the next half century were not yet out of school: Washington Irving was a lad of seventeen, James Fenimore Cooper a boy of eleven, and William Cullen Bryant a child of six.

Stedman and Hutchinson, III, 463.

The zeal for education which had been so marked at an

Decline of education.

earlier day (p. 145) had greatly diminished. In the awakening of the Revolutionary period, there had been much enthusiasm on the subject, but it had since died out. A system of public instruction had been established in Rhode Island and in New York, the latter in 1795; but it was already declining in 1800. The colleges had not improved their methods of teaching or enlarged the scope of their instruction; they had slight hold on the community, and fewer students attended them than in the earlier years. The medical schools at Philadelphia and Boston were the only institutions in the country where any appreciable attention was paid to science.

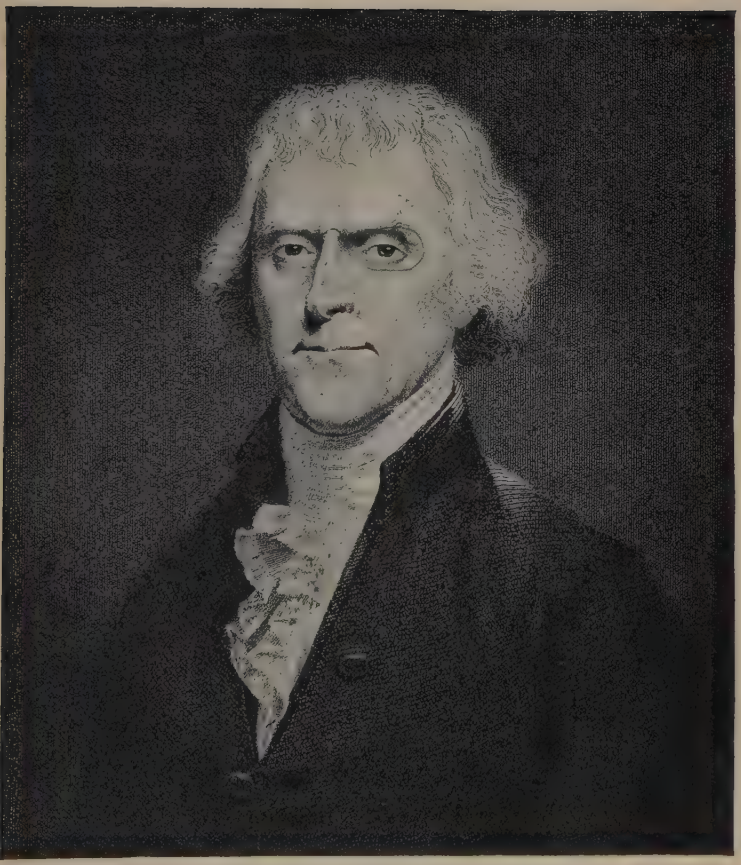
Encouraging signs.

In only two respects was American mental activity creditable, — in the production of state papers and in works of art. The political documents of this epoch were well written and logically constructed: students of politics and politicians of all grades and parentage have necessarily had resort to these admirably expressed documents, which have thus served to keep the English of America unusually pure.

The other respect in which the American people gave a sign of latent power was in art. Gilbert Stuart, Benjamin West, Washington Allston, with Copley and Malbone, formed a body of artists of whom any nation might well be proud. They received their training in England, and achieved most of their renown there. We must now turn to a study of the political history of Jefferson's administrations.

Cause of the fall of the Federalists.

222. **The Federalists and the People.** — The fall of the Federalists was due to the old-fashioned ideas of the party leaders, and to their failure to understand the nature of republican institutions. Hamilton's opinion of the people has been already stated (p. 261), but other leading men in the party were of nearly the same mind. For example, Theodore Sedgwick was accustomed to speak of the people as "Jacobins and miscreants," and George Cabot held "democracy to be the government of the worst."



Thomas Jefferson

From an engraving by W. Holl

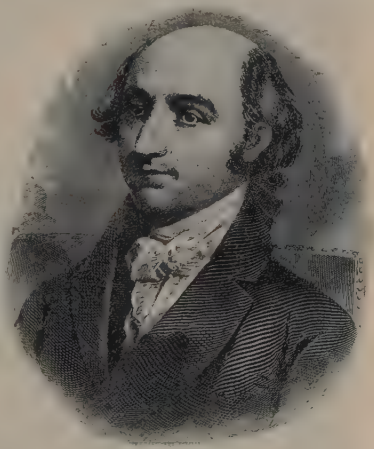
Abuse of political opponents.

The abuse of political opponents which so painfully marked the opening years of the government under the Constitution was not confined to Republican denunciation of Federalists. On the contrary, Jefferson was the mark of abusive reproaches from the pens of newspaper editors and the tongues of orators and ministers. One Federalist editor for a time habitually wrote of Jefferson and Gallatin as "the knaves," "the cold thinking villains . . . whose black blood runs temperately bad." Theodore Dwight, one of the New Haven literary coterie (p. 307) and the historiographer of the Federalists, expressed the opinions of many men of that party in the following remarkable sentences spoken on July 7, 1801: "We have now reached the consummation of democratic blessedness. We have a country governed by blockheads and knaves. . . . Our sirnames, the only mark of distinction among families, are abolished. . . . Can the imagination paint anything more dreadful? Some parts of the subject are indeed fit only for horrid contemplation." On the other hand, Hamilton, who asserted that he had "as much reason to hate Jefferson as any man," predicted that his administration would be cautious and moderate,—a prediction which was abundantly justified by the facts.

Jefferson's first inaugural, 1801. Schouler's *United States*, II, 1–4; Johnston's *Orations*, I, 147–163.

223. **Jefferson's Inaugural.** — Jefferson was indeed anxious to moderate the feelings of asperity which had been aroused by the Alien and Sedition Acts, and the attempt to thwart the wishes of the people by electing Burr President. With a few friends he walked from his boarding house to the Capitol, took the oath of office, and read his inaugural address. "The sum of good government," he declared to be "a wise and frugal government which shall restrain men from injuring one another, [and] shall leave them otherwise free to regulate their own pursuits." Above all, he desired conciliation, saying, "We are all Republicans, we are all Federalists," and declared "absolute acquiescence in the decisions of the majority [to be] the vital principle of republics." He then proceeded to lay down the broad

lines of his policy as follows: "Equal and exact justice to all men, of whatever state or persuasion, religious or political; peace, commerce, and honest friendship with all nations, entangling alliances with none; . . . economy in the public expense, that labor may be lightly burdened; the honest payment of our debts, and sacred preservation of the public faith; encouragement of agriculture, and of commerce as its handmaid; the diffusion of information, and arraignment of all abuses at the bar of public reason; freedom of religion, freedom of the press, and freedom of the person. . . . Should we wander from them [the above principles] in moments of error and alarm, let us hasten to retrace our steps and regain the road which alone leads to peace, liberty, and safety." In a letter written a few months later (May 26, 1801) he said: "To preserve the peace of our fellow-citizens, promote their prosperity and happiness, reunite opinion, cultivate a spirit of candor, moderation, charity, and forbearance towards one another, are objects calling for the efforts and sacrifices of every good man and patriot."



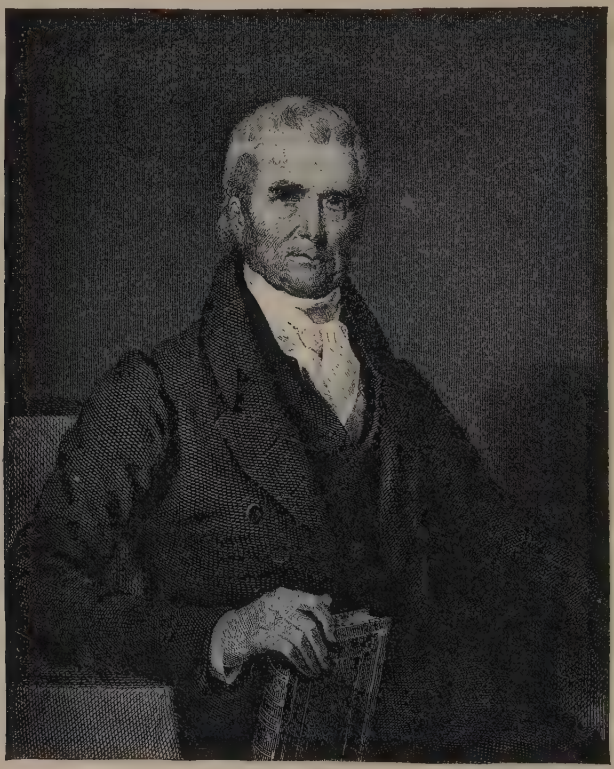
Albert Gallatin

Jefferson's heads of departments.

224. The Civil Service. — Jefferson was very fortunate in the selection of his leading advisers. He placed Madison at the head of the State Department and Gallatin — inferior only to Hamilton as a financier — at the head of the Treasury. The new administration found the government offices filled with Federalists, owing in great measure to the proscription of the Republicans by Adams, and by Washington

Removals from office. Schouler's *United States*, II, 6–12.

during the later years of his presidency. Among these office-holders were some of Jefferson's most bitter opponents, men who might in all justice be said to have exercised



John Marshall
After a painting by Inman

"offensive partisanship" or "industrious opposition," as he termed it, during the recent struggle. One of these was Goodrich, formerly a representative from Connecticut, where Federalism was especially rampant. He had resigned his seat to accept from President Adams the position of

Collector of Customs at New Haven. Jefferson removed him and appointed in his place a man named Bishop, whose son had recently defended Republicanism in an address before the literary societies of Yale College. The matter was made the occasion of the most furious abuse of the new President.

Repeal of the Judiciary Act. Schouler's *United States*, II, 25.

Jefferson was especially indignant at what he termed "the indecent conduct [of Adams] in crowding nominations after he knew they were not for himself," and at the enlargement of the Judiciary Department, out of all proportion to its work and after the results of the election were known. Congress, when it met, repealed the act establishing these new courts, and Jefferson refused to deliver commissions which Adams and Marshall had left signed at the moment of their hasty departure from office. Chief Justice Marshall, in the case of Marbury *vs.* Madison, which was brought to compel the delivery of one of these commissions, forgot that the legality of his own act was partly in question, and while dismissing the case on technical grounds, declared as his opinion that Jefferson's proceeding was "not warranted by law, but violative of a legal vested right." Jefferson naturally paid no attention to such an expression of opinion, and both he and Marshall were too cautious in temperament to proceed farther.

Effect of Jefferson's policy as to the civil service.

In addition to these removals, and others for which reasons were assigned, Jefferson, in the course of the first fourteen months of his administration, made sixteen removals without giving reasons, in order, in all probability, to make room for Republicans. These dismissals must be deplored, as they furnished the precedent for the wholesale removals by Jackson. But Jefferson was far from using the civil service as a reward for party services, as it was used in Jackson's time. Indeed, he pointedly refused, on more than one occasion, to appoint party workers to office.

225. **The Judiciary Department.** — This great branch of the government remained in the hands of the Federalists, although many judges of that party were "legis-

Impeachment of Chase. Schouler's *United States*, I, 460, II, 86.

lated out of office" by the repeal of the Judiciary Act of 1800. In 1803, after the Republicans had been in control of the other branches of the government for two years, they first used the process of impeachment, the means provided in the Constitution to get rid of incapable and ill-behaved judges. The first case was that of a district judge, whose drunkenness while in discharge of his office was fully ascertained, and the Senate convicted the accused. The second case was the impeachment of Samuel Chase of Maryland, one of the justices of the Supreme Court. Chase's demeanor while presiding at Callender's trial had resembled that of a seventeenth century judge, and his comments on the conduct of the other two branches of the government delivered, while sitting on the bench, would now be considered indecent. The impeachment was badly managed, however: John Randolph of Roanoke, one of the most dramatic figures in American history and a man of brilliant talents, conducted the case on behalf of the House; but he was no match in a legal contest with a trained lawyer like Chase, who was assisted, moreover, by the ablest lawyers in the country. Besides, Chase had deserved well of the nation from his patriotic behavior during the Revolution, however unbecoming his harangues may have been in a judge. Two thirds of the senators were not willing to vote him guilty, and the prosecution failed (1805). It should be stated that this impeachment seems to have been undertaken against the desire and advice of the President.

Financial policy. Schouler's *United States*, II, 22–24.

226. Financial Policy. — Between 1792 and 1801, the national debt had increased from seventy-seven million to nearly eighty-three million dollars. The deficits which gave rise to this increase were caused by extraordinary expenses in connection with Indian wars and with the breach with France. The income of the government had grown in a marvelous manner from a little over three and one half millions to more than ten and one half millions; but the expenditures had increased even faster, and slightly

exceeded the receipts in 1800. About three millions were devoted to the payment of interest on the national debt, not far from six millions were spent on the army and navy, and the remainder was expended on the civil and the diplomatic service. Jefferson and Gallatin at once sketched a financial policy which would lead to retrenchments in all branches of the government, to a lightening of the burden of taxation on the people, and to a considerable reduction of the public debt. The great increase in expenditures had been for warlike purposes, especially for the navy. The army was now reduced nearly one half, but the navy was more difficult to deal with. If Jefferson could have had his way, he would have tied the war ships to the most convenient wharves, under the immediate eye of the department, where they "would require but one set of plunderers to take care of them." As it was, the number of vessels in commission was reduced from twenty-five to seven. Reductions were also made in the civil expenditures at the time; but, later, it was found necessary to increase them. The internal revenue taxes were repealed, but the increase from the imposts more than made up for this loss of revenue. Between 1801 and 1809, the debt was reduced from eighty-three millions to forty-five millions, notwithstanding the expenditures incurred in the acquisition of Louisiana and in the prosecution of the naval wars against the Barbary powers.

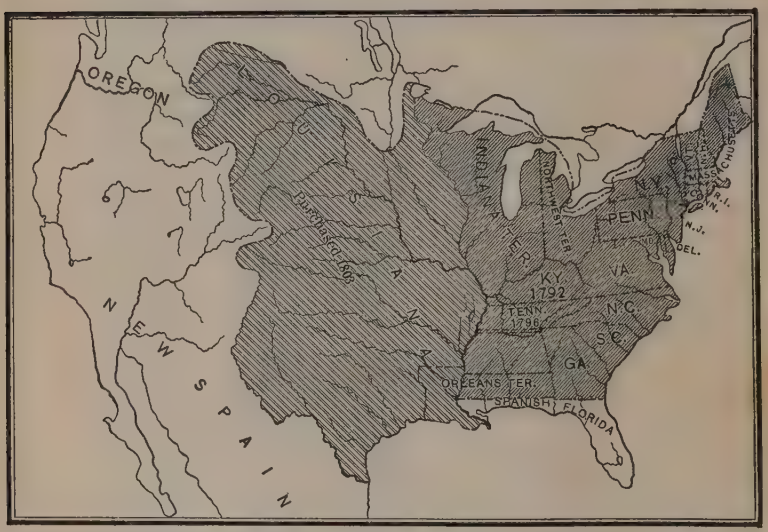
Retrenchments.

227. **The Louisiana Purchase, 1803.** — France had ceded the colony of Louisiana to Spain in 1763 (p. 116). In 1800, by the Treaty of St. Ildefonso, Spain returned it to France, then under the rule of Napoleon. The announcement of this change of ownership awakened great indignation in the United States, for as long as Louisiana was in the hands of Spain, a weak and declining state, little fear was felt of the growth of a powerful colony west of the Mississippi River. Even Jefferson, averse to war and friendly to the French, was aroused, and wrote to Robert R. Livingston, then American minister at Paris

Louisiana ceded by Spain to France, 1800. Schouler's *United States*, II, 40.

Excitement in America.

(April, 1802): "There is on the globe one single spot, the possessor of which is our natural and habitual enemy; . . . The day that France takes possession of New Orleans fixes the sentence which is to restrain her [France] forever within her low-water mark. It seals the union of two nations, who, in conjunction, can maintain exclusive possession of the ocean. From that moment we must marry ourselves to the



The United States, 1803

British fleet and nation." While affairs were in this condition of tension, news arrived that the Spanish governor at New Orleans had withdrawn "the right of deposit" (p. 280), presumably that the colony might be handed over to France free of all incumbrances. The Westerners were wild with excitement, as this meant the practical blocking of their only route to the markets of the world. Jefferson at once directed Livingston to buy the strip of coast extending eastward from the Mississippi and including New Orleans. He also appointed Monroe special envoy to conduct this negotiation

and other important business with foreign governments. Livingston pressed the matter on the attention of the French government, but without avail. Suddenly Talleyrand, who was once again foreign minister, inquired if he wished to buy the whole of Louisiana. At this moment Monroe reached Paris. The Americans had no instructions to acquire this vast territory, but they decided to exceed their powers. Negotiations went rapidly forward, and they concluded a treaty by which the United States acquired Louisiana for fifteen million dollars, of which three and three quarter millions were to be used to pay claims of Americans for spoliations committed by France since 1800. Napoleon is said to have declared that "this accession of territory establishes forever the power of the United States, and gives to England a maritime rival destined to humble her pride"; but the real reason for Napoleon's sudden change of front has never been ascertained.

Purchased by the United States, 1803. Winsor's *America*, VII, 478–480; Roosevelt's *West*, IV, ch. vi; Schouler's *United States*, II, 49–58.

228. **Questions arising out of the Purchase.** — Three questions of great importance are interesting in this connection: (1) the constitutionality of the measure, (2) the limits of Louisiana, and (3) the effect of the purchase on the development of the United States. For years Jefferson had proclaimed that under the Constitution the federal government possessed such powers only as were expressly delegated to it in that instrument. By no possible interpretation could the broadest constructionists have found the power to acquire territory even implied in any grant of power in the Constitution. The President at once declared that the transaction was "an act beyond the Constitution," and that an amendment would be necessary. On reflection, however, this was seen to be impossible. Many things might happen before an amendment could be adopted: Napoleon might change his mind, or the British might seize Louisiana, as war was about to break out between France and Great Britain. The treaty was ratified as it stood, and Jefferson consoled himself with the thought that he was carrying out "the will of the people." The Federalists thought otherwise

Constitutionality of the purchase. Johnston's *Orations*, I, 180–204.

and opposed ratification with all the means at their command; some of them even proposed that the Federalist states should secede from the Union.

Limits of the purchase.

The territory ceded by France was described in the treaty as "the colony or province of Louisiana, with the same extent as it now has in the hands of Spain, and that it had when France possessed it, and such as it should be after the treaties subsequently entered into between Spain and other powers." These were the terms of the cession by Spain to France, and more definite boundaries could not be obtained from Barbé-Marbois, the French negotiator of the treaty. But what did they mean? New Orleans was plainly comprised in the acquisition, but did Louisiana, as thus described, include West Florida, which the government was anxious to obtain, and Texas, about which it then cared nothing? The United States immediately asserted that it included West Florida, but to this assertion Spain would not agree, and France refused to interfere. The orders issued by the French government when it expected to take possession of the country for itself have been recently discovered, and show that France and Spain understood the words in the Treaty of St. Ildefonso, which were used in the cession to the United States, to exclude West Florida and to include Texas.

Effects of the purchase.

The population of the ceded domain numbered about fifty thousand, of which more than one half were negro slaves. This addition of a new center of slavery must be considered as a disadvantage outweighing many advantages, more especially as the slavery of Louisiana resembled that of South Carolina. A large portion of the territory thus purchased lay west of the one hundredth meridian, that is, beyond the region of abundant rainfall. The settlement of this region, with the inevitable result of recurring failure of harvests, has given rise to many problems extremely difficult of solution. But when all has been said in its disfavor, the purchase of Louisiana was one of the most fortunate events in the history of the United States.

229. **The Twelfth Amendment, 1804.** — As the presidential election of 1804 drew near, the leading men in both parties resolved to amend the Constitution in such a manner as would prevent the recurrence of another scandal similar to the attempt to elect Burr President in 1800. The result was the Twelfth Amendment, declared in force in 1804. The old machinery of presidential electors was originally invented to lessen the supposed ill effects of popular election, and to give a less democratic cast to the government. One would think that the Republicans would have seized the opportunity afforded by revision and have discarded such an aristocratic institution. Since 1804 the forces of democracy have completely triumphed over this bit of constitutional machinery, — not an elector has voted against the wishes of the party which elected him. This device made it easier, however, to give the smaller states a share in the election of the highest officers in the nation out of all proportion to their population or importance. The great change brought about by this amendment consisted in having the electors vote for President and Vice-President on separate and distinct ballots. This has prevented the recurrence of scandals like that of 1800; but it has led to the nomination of inferior men to the second place, which was not likely to have happened under the older system, as it was then uncertain which of the party's candidates would be chosen President. The amendment further provided that in case no candidate for the Chief Magistracy should receive a majority of all the electoral votes cast for President, the House of Representatives, voting by states, should elect one of the three having the highest number of votes (see p. 390).

Change in mode of electing President. Stanwood's *Elections*, 45–48; Schouler's *United States*, II, 67

There was no question of Jefferson's election in 1804: he received one hundred and sixty-two votes, to only fourteen given to Charles C. Pinckney, the Federalist candidate for first place; even Massachusetts and New Hampshire gave their votes to Jefferson.

Jefferson re-elected, 1804. *Stanwood's *Elections*, 45–50.

Aaron Burr.

230. Burr's Conspiracy and Trial, 1804–1807. — Aaron Burr, the Vice-President, had aroused the resentment of the Republicans by his dealings with the Federalists in 1800. George Clinton, another New York Republican, was put forward in 1804 as Republican candidate for this office, and was elected. Driven from the Republican party, Burr had allied himself with the Federalists of New England and had offered himself as an independent candidate for the governorship of New York. He was defeated, owing largely to the efforts of Hamilton, whom he now challenged to fight a duel and killed at the first shot. Hamilton's untimely death in the prime of manhood aroused the moral sentiment of the people of the Northern states and put an end to dueling in that part of the country; it made Burr an outcast and impelled him to undertake a most desperate venture. It is impossible to say what he expected to accomplish : at one time he seems to have had in mind the founding of an empire in Texas and Mexico, which should descend to his daughter, Theodosia; at another time, the venture took the shape of the formation of a new republic in the country west of the Alleghanies. Burr gathered arms, ammunition, and men and descended the Mississippi towards New

He kills Hamilton.

Theodosia Burr

Burr's Conspiracy, 1805–6. Roosevelt's *West*, IV, ch. vi; Schouler's *United States*, II, 133–138, 139–141.

Orleans, where he expected to receive the aid of General Wilkinson, the United States commander in Louisiana. For some time Jefferson took no notice of his movements, but finally issued a proclamation for his capture; Wilkinson hesitated as to whether he should betray his country or his friend, and in the end decided to sacrifice Burr. The latter abandoned his companions and endeavored to escape from the country to Spanish Florida. He was captured at a frontier town and taken to Richmond for trial before the federal Circuit Court.

Burr's trial, 1807.

John Marshall, the Chief Justice, presided at the trial. Among other things, he ordered the President to attend as a witness with the records of the War Department. Jefferson refused to heed the summons, but offered to send any papers which might be necessary. Even Federalist writers condemn this action of Marshall. The trial ended abruptly, as the Chief Justice declared that an overt act of treason must be first proved, and then Burr connected with it. The Constitution defines treason as consisting "only in levying war against them [the United States], or in adhering to their enemies, giving them aid and comfort." Burr had never been in a position to levy war, and the prosecution for treason stopped at that point; nor was the government able to convict him of misdemeanor.

Relations with Great Britain, 1800–3.

231. Attacks on Neutral Trade, 1800–1808. — Jay's treaty had fully justified its existence by securing partial immunity from British hostility to American commerce during the struggle between Great Britain and France which ended in 1802 by the conclusion of the Peace of Amiens. During this time, the Americans were able to prosecute a most thriving trade with the Spanish and French West Indies. The British refused to permit the Americans to carry West India produce from the Spanish and French islands direct to Spain and France; but they had no objection to such commerce when pursued indirectly through some United States port, provided the foreign goods were landed on a wharf and duty paid. Under these circum-

stances American trade flourished greatly, and this prosperity continued during the earlier years of the war against Napoleon, which began in 1804.

Change in British policy, 1805.

This successful commerce had aroused the jealousy of English shipowners, and they implored the younger Pitt, who was now Prime Minister, to put an end to the favors granted America; and there were not wanting persons to argue that the action of the Americans was so beneficial to England's enemies as to be "war in disguise." Pitt decided to enforce the "Rule of War of 1756" (p. 277) to the letter, and thus put an end to all American trade to the West Indies. The British vessels made seizures right and left, and, as a matter of fact, Great Britain practically began war against the United States (1805).

The conflict between Great Britain and Napoleon had now reached a point where it seemed impossible for the leading combatants to attack one another: Napoleon was supreme on the continent of Europe, and Britain was undisputed mistress of the seas. The belligerents thereupon endeavored to injure one another indirectly; but the real sufferers during this later time were the American shipowners, whose vessels were almost the only neutral ships on the ocean.

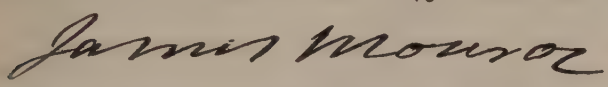
French and British decrees and orders, 1806–10. Schouler's *United States*, II, 151–160.

232. Decrees and Orders, 1806–10. — Napoleon began the contest by closing the recently captured ports of Hamburg and Bremen to British commerce, thus cutting off a profitable trade between Great Britain and Germany. The British government retaliated by declaring a blockade of the coast of the continent from Brest to the Elbe (May 16, 1806), which was enforced only between the Seine and Ostend. Napoleon replied to this by the issue of the Berlin Decree (November 21, 1806), declaring the British Islands to be "in a state of blockade." He also forbade all trade in British goods throughout the lands under French control, which soon included all of continental Europe except Norway, Sweden, and Turkey.

Jay's treaty was about to expire by limitation, and it was

found impossible to induce the British government to enter into a new agreement on a reasonable basis. On December 1, 1806, Monroe and William Pinkney signed, on behalf of the United States, a new treaty, which contained many stipulations dishonorable to their country, among them a provision that the "Rule of War of 1756" would not be

Treaty with Great Britain, 1806. Winsor's *America*, VII, 480.



enforced in respect to goods upon which a two per cent *ad valorem* duty had been paid, on condition that no part of the duty had been returned as a "drawback." Neither impressment of American seamen nor indemnity for British seizures were mentioned. Furthermore, the American negotiators consented to receive a note to the effect that the British government would not consider itself bound by the provisions of the treaty unless the United States would resist the enforcement of the Berlin Decree! Jefferson sent the treaty back to Great Britain without formally laying it before the Senate.

Early in the next year (January 7, 1807) the British government issued an Order in Council closing to neutral commerce the ports of the continent, save those limited regions that were not under French control. Later (November 11, 1807), another Order in Council authorized the seizure of any neutral vessel while on a voyage to any of the closed ports, unless such vessel had first touched at a British port. In the Milan Decree, Napoleon retorted by authorizing the seizure of any vessel that had entered a British port (December 17, 1807). As the British controlled the ocean and Napoleon the continent of Europe these decrees meant the destruction of the American carrying trade. With Great Britain, moreover, the United States had another cause of grievance,— the controversy as to impressment.

British Orders in Council, 1807.

233. The Impressment Controversy, 1793–1807. — The contest with France had hardly opened in 1793 ere British naval captains began stopping American vessels on the high

American naturalization papers.

seas, and taking seamen from them for service in the British navy. Some of the sailors impressed in this manner were subjects of the British crown, but many more were men who had given up their allegiance to Britain, and had become naturalized citizens of the United States or of some one state. Moreover, it was impossible to distinguish an Englishman from a native-born citizen of the United States, and many Americans were impressed, notwithstanding their statements as to the place of their birth. As the war progressed, the British practically blockaded the more important American ports and removed seamen from outgoing vessels before they had lost sight of land. Two very important questions at once arose: the "right of search" and the value of naturalization papers.

The "right of search."

The American government denied the right of foreign cruisers to stop American vessels on the high seas for any purpose whatsoever except to ascertain their nationality. This position the United States maintained forever afterwards (pp. 413, 503). But Great Britain paid no heed to the American protests. The American system of naturalization was based on acts of Parliament: the first of these, which was passed in 1740, provided that foreign Protestants residing in the colonies for seven years and taking certain oaths should enjoy full civil rights in the colonies and many important privileges in Britain itself: the colonial assemblies, too, had passed acts for the naturalization of foreigners in the several colonies, oftentimes after a very brief period of residence, and the British government had not repealed or disallowed these acts. The naturalization system of the United States in 1807 was a reproduction of this colonial system, with the important exception that there was no longer a religious qualification. The British authorities, however, would not recognize it as in any way lessening the allegiance due from a British-born person to the British crown. There was undoubtedly some justification for the view British officers held as to naturalization; for in some states it was only necessary for a deserter

from an English ship to appear before the official in charge of the matter in order to receive naturalization papers. Under these circumstances, whole crews deserted, and many vessels were detained in port in consequence. The real cause of these desertions was to be found in the hardships of the British naval service,— the lack of good food and quarters, the harshness of the discipline, and the low rate of wages paid to the sailors. These hardships were so great that the British seamen preferred to expatriate themselves rather than serve on British men-of-war. The British government, however, was not prepared to take this view and preferred to press British seamen wherever found.

234. The Outrage on the *Chesapeake*, 1807. — The matter reached a crisis on June 27, 1807, when the British ship *Leopard* fired on the American frigate *Chesapeake*, boarded her, and removed from her decks three American citizens and one British subject. Jefferson at once issued a proclamation ordering all British war vessels out of the waters of the United States, and forbidding any intercourse with them or the furnishing them with any supplies. He also demanded redress, but attempted to couple with the *Chesapeake* outrage the whole question of impressment. The British authorities, on their part, disavowed the admiral by whose orders the outrage had been committed, but refused to give up impressment. While affairs were in this critical condition, the Order in Council of November, 1807, was issued. It is hardly conceivable that such a question should have been made the basis of party action, yet the Federalists denounced the President's proclamation as favoring the French, and the Northern merchants protested against anything being done that savored of hostility to Great Britain.

The *Chesapeake* and the *Leopard*, 1807. Schouler's *United States*, II, 163; Maclay's *Navy*, I, 305–311.

235. Jefferson's Embargo Policy, 1807, 1808. — In April, 1806, at the time of the enforcement of the "Rule of War of 1756," Congress had passed an act forbidding the importation of goods from Great Britain or the British colonies after

The embargo, 1807. Schouler's *United States*, II, 178–199.

November 15, of that year. This limit was further extended, and the prohibition did not go into effect until December, 1807. By that time, however, Jefferson deemed sterner measures necessary, and recommended an embargo. Congress at once fell in with the President's wishes and passed an act forbidding American vessels to leave the ports of the United States for foreign ports, and prohibiting foreign vessels to sail except with the cargo actually on board. Embargoes were no new thing in the history of the United States; they had hitherto been for limited periods and had been regarded as precursors of war, although no war had followed (p. 300). The policy of commercial restriction had been often used with great effect, as at the time of the Stamp Act and the Townshend duties (p. 154). Able and far-seeing men, as Sir John Seeley and Edward Atkinson, have recognized the fact that commerce, so far from making for peace among mankind, has been the cause of many of the great struggles of modern days. Jefferson's idea was to revive the policy of the Revolutionary epoch and to put a pressure on Great Britain and France by restricting their dealings with the United States. But circumstances were changed: the American people were no longer united, as they had been in the earlier time; and it proved to be impossible to enforce the embargo policy in America. Even the Enforcement Act of 1808 proved of little value. This act required the owners of coasting vessels before the cargo was placed on board to give bonds to six times the value of the vessel and, if necessary, obliging them to land the goods in the United States. This requirement indicates one method of evasion of the Embargo Act, by vessels clearing for a coastwise port and then sailing to a foreign port. Another clause of the Enforcement Act was designed to prevent the evasion of the law by carrying goods overland to Canada or New Brunswick. This section authorized collectors of customs to seize goods "in any manner apparently on their way toward the territory of a foreign nation or the vicinity

The Enforcement Act, 1808.

thereof." Even this severe measure could not secure the enforcement of the embargo; it led, however, to resistance to federal authority on Lake Champlain and threatened to lead to more formidable armed resistance in New England.

Effect of the embargo on Great Britain.

236. Effects of the Embargo. — It is difficult to say precisely what effect the embargo had, either at home or abroad. It probably hastened a commercial crisis in Great Britain, which would have occurred had there been no embargo. This crisis affected the working classes of Britain, but as they had no political power their wishes for a change in England's commercial policy passed unheeded. The rulers of Britain regarded the embargo as rather beneficial to her interests, inasmuch as it operated to weaken the Republican party in the North and to increase the strength and energy of the Federalists.

On France.

Napoleon welcomed it and made it the excuse for two more decrees: one of them, issued at Bayonne (1808), directed the seizure of all American vessels, on the ground that no ship flying the flag of the United States could legally navigate the seas; the other decree, issued at Rambouillet (1810), ordered the confiscation of vessels then in French hands.

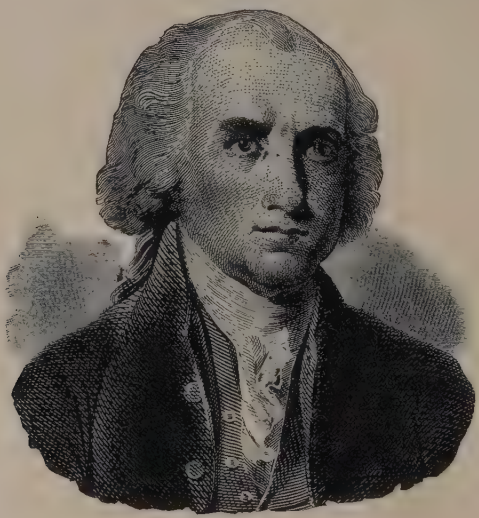
On America.

In America, the embargo pressed heavily on Jefferson's political supporters, the tobacco planters of Virginia, as large portions of their tobacco crops were unsalable. Many planters were ruined; others were seriously crippled. The shipowners of New England and the Middle states saw their ships lying idle when rates of freights were at the highest point. They evaded the law as long as they could, and at length, when forced to desist, they turned their attention to manufacturing. From a constitutional and political point of view, the embargo worked a positive benefit, as the attempts to enforce it compelled the Republicans to resort to the implied powers under the Constitution, and to adopt almost the ground occupied by the Federalists in 1798, which Jefferson and Madison had so strongly condemned in the Kentucky and Virginia Resolutions. By

January, 1809, it was evident that to avoid civil strife the embargo policy must be abandoned. Madison had meantime been elected President (November, 1808), and to him Jefferson confided the initiation of a new policy.

Non-intercourse Act, 1809. Schouler's *United States*, II, 207–219.

237. The Non-intercourse Act, 1809. — In February, 1809, it became known that Madison was in favor of a removal of the embargo in the following June; but no



James Madison

sooner was the subject of repeal brought forward in Congress, than it was decided to repeal the embargo law at once. In its place was substituted a non-intercourse law. This would still prohibit commerce with Great Britain and France, but would, on the other hand, permit it with the few countries not under the control of either of the belligerents. The new policy, which was a better method of carrying out Jefferson's commercial theories, went into operation on the day of Madison's inauguration, March 4, 1809. Instantly, there was a great revival in the carrying trade; for, although Russia had now joined France in the

continental system, Spain and Portugal were now free. This period witnessed a complete breaking down of the ordinary rules of international and commercial honesty. Napoleon gave licenses without number to British vessels to bring goods sorely needed by his soldiers into continental ports, while American papers, forged for the purpose, and also British protections, were openly sold in London. The neutrals profited most by this reign of commercial distress and corruption; the gains of American shipowners were enormous, although American vessels were constantly captured by the belligerents.

Mrs. Madison

238. The Erskine Treaty, 1809. — At first, fortune appeared about to smile on Madison; a new British minister, Mr. Erskine, appeared at Washington, and concluded a treaty obliging Great Britain to withdraw the Orders in Council. Madison thereupon suspended non-intercourse with Great Britain. But Erskine had exceeded his instructions; the British government disavowed him, refused to ratify the treaty, and Madison was obliged to proclaim a renewal of non-intercourse with that country. The next British envoy was named Jackson. He proceeded to insult Madison, accusing him of having deceived Erskine, and repeated the accusation. Madison declined to communicate further with him and sent him home.

Treaty with Great Britain, 1809. Schouler's *United States*, II, 313.

On May 1, 1810, Congress substituted for the Non-intercourse Act a modified commercial policy, which was contained in a bill known as Macon's Bill, No. 2, from the name of the member who introduced it. This law provided for the immediate cessation of non-intercourse; but in case

Macon's Bill, No. 2.

one of the belligerents should revoke his decrees or orders, and the other should not, non-intercourse should be proclaimed against the refractory country. Both France and Great Britain promised to change their policy as soon as the other changed his. But that was all they would do. So the offensive decrees and orders continued, and so, too, did non-intercourse.

The *President* and *Little Belt*. Maclay's *Navy*, I, 314.

239. **Declaration of War, 1812.** — In the gathering gloom of a May evening (1811), the American frigate *President* and the British sloop of war *Little Belt* found themselves near together. Owing to some mischance, not now clearly discernible, they fired on each other, and the *Little Belt* was badly crippled. This affair induced the American people to feel more kindly about the *Chesapeake* outrage, and reparation was accepted without a settlement of the whole question of impressment, which in this way remained to keep alive a spirit of resentment toward the British nation. Another cause of ill feeling was the ever-recurring Indian troubles in the West, some of which were plainly traceable to British intrigues. The most formidable of these was a revolt set on foot by an energetic Indian chief named Tecumthe or Tecumseh, who had formed a strong Indian federation. Gathering a small force of regulars, and volunteers from among the settlers of the West, William Henry Harrison marched to the principal Indian town on Tippecanoe River and inflicted a crushing defeat on the Indians (1811). Tecumthe joined the British, and thus justified the suspicions of the Western settlers.

Cause of the War of 1812. Johnston's *Orations*, I, 205–215.

Another cause of the approaching conflict was the tone of self-satisfied superiority with which the British government and people were accustomed not merely to look upon the American people, but to speak of them, and even to address representatives of the United States government. For example, Lord Liverpool, at the moment Prime Minister, declared in 1813 from his place in Parliament that America "ought to have looked to this country as the guardian power to which she was indebted not only for her comforts, not

only for her rank in the scale of civilization, but for her very existence." The impressment controversy was now at its height, and British hostility to American commerce was as keen as ever. Bearing all these things in mind, it is not to be wondered at that the United States declared war against Great Britain; it is indeed remarkable that the outbreak of hostilities was postponed until 1812.

Declaration of war, 1812.

The declaration of war was the work of a new set of political leaders, whose influence for good or evil was to dominate American politics for the next forty years. Foremost among them was Henry Clay, born in Virginia, but now living in Kentucky; perhaps no American politician has ever had a more faithful band of followers or has ever shown worse judgment. Henry Clay entered the House of Representatives for the first time in 1811, and was at once elected Speaker. Another of the newcomers was John C. Calhoun of South Carolina; at this period he was an ardent advocate of nationalization and of devoting the federal resources to the promotion of the general welfare of the people, — especially, he advocated a policy of protection to "young industries." Subsequently, he became the champion of the other side, and by his fearlessness and powerfully logical faculties set forth the cause of state's rights in the clearest and most forcible manner. Two years later, Daniel Webster of New Hampshire, the third of this group, entered Congress.

Henry Clay. Schouler's *United States*, II, 372; Schurz's *Clay* (S. S.).

John C. Calhoun. Von Holst's *Calhoun* (S. S.).

Daniel Webster. Lodge's *Webster* (S. S.); Schouler's *United States*, III, 298.

Clay represented the unrest of the Western people and their desire for the conquest of Canada. With the aid of other new men, he forced from the reluctant President his consent to a declaration of war against Great Britain. It is said that Madison was given to understand that his renomination for the presidency depended on his agreeing to this policy; it is certain that he was drawn into the conflict against his wishes; but the New England Federalists always called it "Mr. Madison's War."

SUGGESTIVE QUESTIONS AND TOPICS

§§ 213–222. The United States in 1800

a. What relations can you trace between the American Revolution, the French Revolution, and the "Revolution of 1800"?

b. What means did the American people take "to elevate the intellectual and material position of the average citizen"?

c. How do you account for the fact that the white population increased much more rapidly in the free states than in the slave states?

d. What is meant by saying that "the American people came into existence" in the period extending from 1800 to 1829?

e. What are the two most important stocks of the human race? Name the chief branches of the Aryan stock, and the principal contributions to civilization made by each.

f. Where besides in America have important amalgamations of Germanic and Keltic races taken place? What complementary qualities do these two races possess?

g. Has any other material force so controlled the history of the United States as cotton?

§§ 223–226, 229–230. Domestic Affairs

a. Read and compare the first inaugurals of Washington, Jefferson, and Lincoln.

b. Place as heading in note-book "Spoils System and Civil Service Reform." Who began the system of partisan appointments?

c. How does the Constitution define treason? Define as precisely as you can the following phrases: "levying war," "against them," "their enemies," "adhering to," "aid and comfort." Can one of the United States be guilty of treason? Is civil war treason?

d. Look up the history of Massachusetts 1800–15: do you regard it as creditable? Give your reasons.

§§ 227–228. The Louisiana Purchase

a. Sketch the ownership of Louisiana under the following heads: discovery, settlement, cession of 1763, "right of deposit," retrocession to France.

b. Why were the Federalists opposed to the Louisiana Purchase? Discuss the effects of the purchase upon the West, the South, the East, the general government.

c. Does the "general welfare" clause empower the federal government to acquire territory? Under what clause of the Constitution can you find such power?

§§ 231–239. Foreign Relations

a. State the specific purpose of each hostile commercial ordinance of the two belligerents.

b. Describe Great Britain's impressment policy. What reasons can you suggest for her refusal to recognize the validity of American naturalization papers?

c. The embargo: discuss its constitutionality; its effect on constitutional development. What industrial revolution did it forward in New England?

Historical Geography

a. Make all necessary changes in your maps, and justify these changes by recitation.

General Questions

a. Mention, with some account of their contents, the chief political documents of this epoch (1783–1812). Give a brief sketch of the careers of their authors.

b. Subjects for reports based on secondary material: (1) What is the relation between the growth of manufacturing enterprises and the growth of cities? (2) Compare the factory agitation in England with the emancipation movement in America. (3) Thomas Jefferson: his personal influence over his official advisers, over Congress; contrast his theoretical language and his practical conduct; discuss his honesty, his statesmanship; describe his influence in retirement and the influence of his name. (4) John Marshall: his career; instances of collision between the Judiciary and the Executive; the cases which form epochs in constitutional history; (5) trace the history of free and slave territory to 1819.

c. Compare the momentous changes in the political life of the United States between 1801 and 1809.

As preparation for the next two chapters study the following questions:

a. Taxation: arguments for and against direct taxation; should direct taxation be levied on capital, on income, or on expenditure? should the same percentage be levied on all equal amounts? what forms of indirect taxation are the most eligible? give Mill's seven practical rules for indirect taxation; under which class does excise come? customs duties? is it desirable to defray extraordinary public expenses by loans? state reasons.

b. Look up in Mill's *Political Economy* the passage which says that protection may be justifiable under certain conditions, and apply it to the United States in 1816, 1824, 1833, 1842, 1857, 1861, and 1897.

c. Place in note-book the two headings, "Protection," "Free-trade," and enter fitting matter under them as you proceed.

d. Read Fawcett's *Free-trade and Protection* and Hoyt's *Protection* vs. *Free-trade*, and compare the arguments.

CHAPTER IX

WAR AND PEACE, 1812–1829

Books for Consultation

General Readings. — Johnston's *American Politics*, 77–108; Higginson's *Larger History*, 365–442; Hart's *Formation of the Union*, 203–262; Walker's *Making of the Nation*, 230–273.

Special Accounts. — Schouler's *United States;* Wilson's *Presidents;* *Von Holst's *Constitutional History;* *H. Adams's *United States;* Morse's *J. Q. Adams* (S. S.); Gay's *James Madison* (S. S.); Von Holst's *John C. Calhoun* (S. S.); Lodge's *Daniel Webster* (S. S.); Sumner's *Andrew Jackson* (S. S.); Taussig's *Tariff History;* Larned's *History for Ready Reference.* Larger biographies of the leading statesmen, *Guide*, § 25.

Sources. — Writings of the leading statesmen, *Guide*, §§ 32, 33. Benton's *Abridgment;* Williams's *Statesman's Manual;* Johnston's *American Orations;* Young's *Customs-Tariff Legislation;* Taussig's *State Papers;* Stedman and Hutchinson, *Library of American Literature;* MacDonald's *Documents.*

Maps. — Mac Coun's *Historical Geography;* Hart's *Epoch Maps*, Nos. 7, 8, 10, 11; Winsor's *America;* Walker's *Statistical Atlas;* Scribner's *Statistical Atlas.*

Bibliography. — Channing and Hart, *Guide to American History*, §§ 56 a, 56 b (General Readings), §§ 172–179 (Topics and References).

Illustrative Material. — *McMaster's *United States;* Lossing's *Field-Book of the War of 1812;* Armstrong's *War of 1812;* Roosevelt's *Naval War of 1812;* Maclay's *United States Navy;* Cooper's *United States Navy;* James's *Naval History of Great Britain;* Coggeshall's *American Privateers;* Goodrich's *Recollections;* Sullivan's *Familiar Letters;* J. Q. Adams's *Diary;* Bishop's *American Manufactures;* King's *New Orleans;* Barnes's *Yankee Ships.*

Hildreth's *The Slave;* Longstreet's *Georgia Scenes;* Paulding's *Lay of the Scottish Fiddle;* Freneau's *Poems.*

WAR AND PEACE, 1812–1829

240. Nature of the Conflict. — Perhaps no conflict has ever been undertaken with so little thought as to the means

Lack of preparation for war.

of carrying it to a successful termination as the War of 1812. The excise tax of the Federalist period had been repealed and nearly all the income of the government was derived from the customs revenue, which at once dwindled as imports declined. At first, Congress was unwilling to augment this diminishing revenue by imposing direct taxes; but in 1813 the increasing pressure of the war overcame even Republican scruples, and Congress imposed direct taxes on such articles as furniture and watches, and even on slaves. Congress also levied an excise. The war cost from thirty to forty millions for each year that it was waged; but the total revenue never exceeded ten millions per year. These deficits had to be made good by borrowing. As the war progressed, the credit of the government constantly declined, until finally loans were effected at far below their face value.

The military forces were very ineffective. The Republicans had steadily opposed keeping up an efficient military organization. The war was very unpopular in the North, whence most of the soldiers and money were necessarily drawn, as that was the more populous and the richer portion of the country. This dislike of the war appeared when the government endeavored to summon the militia to take part in the invasion of Canada. The Constitution authorized Congress to "provide for calling forth the militia" for three specific purposes: "to execute the laws of the Union, suppress insurrections, and repel invasions." The governors of Massachusetts, Connecticut, and New Hampshire refused to send militia out of their respective states, and the governor of Vermont recalled the Vermont militia when it was sent outside of the limits of the state. The old difficulty (p. 200) of enlisting men in the regular army for the war or for a term of years at once recurred. Bounties were offered in vain, and even the enlistment of minors, without their parents' consent, was resorted to. Had the contest continued much longer, resort would probably have been had to a draft. In these circumstances it was fortunate

that the British prosecuted the war but feebly during the years 1812 and 1813.

241. Campaigns of 1812–14. — The invasion of Canada was begun with an ignorance and contempt of the necessities of the campaign that augured ill for success. It ended in failure (1812). On the other hand, the victory of the Americans under Commodore Oliver H. Perry, on Lake Erie (1813), made impossible an English occupation of American territory, and left the combatants practically where they were at the outbreak of hostilities.

Invasion of Canada, 1812–13. Winsor's *America*, VII, 382–385, 387–392; Maclay's *Navy*, I, 492–520.

The campaign of 1814 was much more vigorously managed by both combatants. On the American side abler men came to the front. One of them was Jacob Brown, a New York militia general, who had been bred a Quaker, as had Nathanael Greene. He had never seen service in the field, but possessed energy and courage; and he was ably assisted by his subordinates, Winfield Scott and Eleazer Ripley. He accomplished nothing in the way of conquest, but repelled all attempts at invasion in his part of the field. Indeed, one of the battles of his campaign, Lundy's Lane, where a small body of Americans withstood the onslaught of a body of British veterans, was a most creditable affair, especially as it occurred in the darkness, which is peculiarly trying to soldiers who have not had years of experience. The British undertook a counter invasion of the United States by way of Lake Champlain; but McDonough's victory gave the control of the lake to the Americans, and the British retired to Canada (1814).

Failure of British invasion, 1814. Winsor's *America*, VII, 393–400; Schouler's *United States*, II, 397, 446.

Winsor's *America*, VII, 396; Maclay's *Navy*, II, 27–39.

The summer that saw this victory witnessed also the disgraceful flight of the Americans from Bladensburg, and the unjustifiable burning of the public buildings at Washington by the British under General Ross and Admiral Cochrane. A subsequent attack on Baltimore was gallantly repelled by its American defenders, with considerable loss to the assailants.

Burning of Washington, 1814. Winsor's *America*, VII, 400–402.

242. The British Defeat at New Orleans, 1814, 1815. — By this time it had become evident that British success in

New Orleans, 1814–15. Winsor's *America*, 403–404; Schouler's *United States*, II, 457, 485–491.

the interior of the North was uncertain until the control either of the Great Lakes or of Lake Champlain was in their hands. The capture of New Orleans offered the best chance of permanent conquest: it was within reach of the sea, was far removed from the thickly settled part of the United States; and its possession would give the British important and far-reaching influence in the whole Mississippi valley. Pakenham, one of Wellington's Peninsular commanders, was given a formidable body of troops and ordered to attempt its capture; with him co-operated a large naval force.

New Orleans, 1814–15. King's *New Orleans*, ch. xi.

The command of the defense of the lower Mississippi and neighboring regions was confided to Andrew Jackson of Tennessee. At first he seems to have misjudged Pakenham's purpose, and delayed preparations for defense until it was almost too late. At last, when he was convinced that the British general designed to seize New Orleans, he made every possible preparation to repel the attack; in this he was greatly aided by the peculiarities of the country around New Orleans, which will be described when we reach Farragut's capture of that city (p. 503). Pakenham attacked vigorously, though with small military skill; he was repulsed with great loss to his army. The last assault on the defenses of New Orleans was made on January 8, 1815, two weeks after the signing of the treaty of peace at Ghent. A month later (February 11, 1815), the British captured an American fort on Mobile Bay, their only success during this arduous campaign.

The navy. Winsor's *America*, VII, 378; Roosevelt's *Naval War of 1812*; Maclay's *Navy*, I, 317–575, II, 1–82.

243. The War on the Sea, 1812–15. — On the land, where their numbers gave them an advantage, the Americans were on the whole unsuccessful; on the water, where their guns were outnumbered one hundred to one, they won successes which still render the War of 1812 memorable in naval annals. At the beginning of the conflict, the British navy comprised over one thousand vessels, of which two hundred were line of battle ships of two or three decks; there was not even one two-decker in the United States navy.

Moreover, the American vessels were not merely inferior in size to the British, there were very few of them, — seventeen vessels in all. Three of them, the *United States*, *Constitution*, and *President*, were large, heavy frigates rated as "forty-fours," and there were also four smaller frigates and several sloops of war and brigs.

Naval conflicts. Winsor's *America*, VII, 379–382, 386.

The government deemed it unwise to send these vessels to sea to be captured by the fleets of Great Britain, and decided to use them as guard ships at the principal ports. A difficulty at once presented itself, however, for the vessels were not in the ports designed for them; and it was necessary to send them to sea to enable them to perform even this limited duty. Among the first to leave port was the *Constitution*, commanded by Captain Hull. On her way from the Chesapeake to New York harbor, her designated place of duty, she was sighted by a British squadron of five ships and chased from July 17 to July 20. In the end, Hull saved his ship and found refuge at Boston. Sailing thence, with no new orders, he cruised about for two weeks, until August 19, when he sighted the British frigate *Guerrière* in the Gulf of St. Lawrence. The combat which followed has been made the subject of so much apology on the part of British writers that it is well to bear in mind the comparative size of the two ships. Mr. Henry Adams thus states the facts in his authoritative *History of the United States during the Administrations of Jefferson and Madison*. The American frigate was one hundred and seventy-three feet long and forty-four feet wide; she carried thirty-two "long 24's" and twenty "32 lb." carronades, or fifty-two guns in all. Her sides were very solid for a ship of her class, but notwithstanding the extra weight she was very fast. The *Guerrière* was one hundred and fifty-six feet long and forty feet wide; she carried thirty "long 18's," two "long 12's," and sixteen "32 lb." carronades, or forty-eight guns in all. She was not so strongly built as her opponent, nor so fast, and she threw a much lighter broadside. Both Captain Hull of the *Constitution* and

Captain Dacres of the *Guerrière* were skillful, brave men, and the crews of both ships were well trained, although the *Guerrière's* crew had been longer together. In thirty minutes after the first gun was fired, the British frigate lay helpless on the water, with seventy-nine of her crew killed or wounded. The *Constitution*, on the other hand, suffered trifling loss or damage, and was ready for another combat. On October 17 the American sloop of war *Wasp* met the British brig *Frolic*. The *Wasp* threw a lighter broadside than the *Frolic*, and, although rigged as a ship, was only six feet longer. In forty-three minutes after the beginning of the combat, the *Frolic* was a wreck, with ninety of her crew of one hundred and ten killed and wounded. In both cases the result was due to the superior practice of the American gunners and to the fact that the charges of powder used by the British were less than those used by the Americans for guns of the same caliber. It is said that shot from the *Guerrière* rebounded harmlessly from the sides of the *Constitution*, and the guns of the *Frolic*, more than equal in weight to those of the *Wasp*, produced, comparatively speaking, no impression on her antagonist.

Effects of these victories.

The effect of these victories was tremendous. For a century and a half the British had enjoyed undisputed supremacy on the ocean; ship for ship, they had encountered the navies of France and Spain, and had been almost uniformly successful. Instead of seeking the true cause for these defeats, in the light armaments of their vessels and in the character of their impressed crews, the British public magnified the *Constitution* into a "line of battle ship in disguise," and suggested that in future it would be best for British frigates to sail in company. There were many other naval actions during the contest which are described at length in the histories of the war and need not be mentioned here. As the conflict progressed, the blockade of the American ports became closer and closer; few of the national vessels gained the open sea, and those that did were gradually captured. In the later years, the privateers

almost alone displayed the flag of the United States on the ocean.

The commerce destroyers.

244. The Privateers. — Mr. Henry Adams has suggested that it would have been better policy for the United States to have used the national vessels to destroy the merchant vessels of England. Men-of-war capturing British merchantmen would have destroyed them; the privateers, whose interest was to make money from the sale of prizes, sent them home, and about one half were recaptured. As it was, the privateersmen dealt a terrible blow to Britain's commerce. In the course of the war they captured more than two thousand five hundred British vessels, some of them within sight of the coast of England. Rates of insurance on British vessels rose to almost prohibitory figures, even for the shortest voyages. English merchants and shipowners whose self-seeking had largely contributed to bring on the war, now besought the government to conclude peace; to this end McDonough's victory on Lake Champlain powerfully contributed.

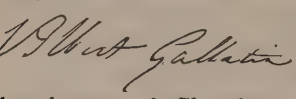
Mistaken policy of England.

245. Negotiations for Peace, 1812–14. — From an international point of view, the War of 1812 was a terrible misfortune. Great Britain was then engaged in a deadly struggle with the military despotism that threatened to overwhelm popular freedom wherever it existed in the world. No doubt Napoleon had dealt a beneficial blow to feudal institutions, but he had already done all the good that he was likely to do in that way. In 1812 the cause of humanity and civilization demanded his overthrow. True policy dictated the alliance of Great Britain and the United States to destroy the master despot of the age. Instead of joining together against the common enemy, they came to blows, but this was the fault of Britain's rulers, not of the American people.

The Czar intervenes. Winsor's *America*, VII, 483.

Four days after the declaration of war against Great Britain, Napoleon and the Czar renewed their former enmity, because Russia would no longer close the Baltic ports to neutral commerce. The Czar at once offered to mediate between Great Britain and the United States, whose

conflict could not fail to weaken the opposition of the former to Napoleon. Madison grasped at the proffered good offices of Russia, and appointed commissioners to represent the United States; but Great Britain would not accept this mediation. The British government could not afford to appear unmindful of the wishes of the Czar, its most powerful ally against Napoleon, and announced its willingness to negotiate directly with the United States; but it was not sincere in its desire for peace, and the commissioners did not come together until the summer of 1814. The Americans were five in number; among them were Albert Gallatin, John Quincy Adams, son of John Adams, and Henry Clay. To the absence of Clay from Congress has been attributed much of the extraordinary imbecility of that body during this period.



Negotiations for peace, 1814. Winsor's *America*, VII, 484–487.

It is likely that the British government chose this moment to begin negotiations in the expectation that the successes of her armies in 1814 would induce the Americans to cede to Great Britain a strip of territory south of the Great Lakes. Brown's energetic defense of the posts on those lakes, and the collapse of the invasion by way of Lake Champlain, put an abrupt ending to these hopes, and the British negotiators were ordered to conclude the treaty as soon as possible. The treaty was signed at Ghent on December 24, 1814, before the fate of Pakenham's expedition was known, and even before the conflict which usually goes by the name of the battle of New Orleans had taken place.

Treaty of Ghent, 1814. Schouler's *United States*, II, 477–485.

246. The Treaty of Ghent, 1814. — The treaty provided for a restoration of conquests by both parties, and for the appointment of commissions to arrange the outstanding boundary disputes between the two powers and to settle some other matters of difference. The important issues which led up to the war were not even mentioned in the treaty of peace. The Orders in Council had been withdrawn before the conflict began, and the rights of neutrals

had ceased to be an issue of vital moment since the fall of Napoleon. The successes of the American cruisers had contributed materially toward the settlement of the questions of impressment, the right of search, and blockades; they never again became serious in the sense that they were before 1812. The British commissioners at Ghent had contended that the fishery privileges accorded to the citizens of the United States in the treaty of 1783 had terminated the moment war had broken out between the two nations. The Americans declared, on the contrary, that the articles in that treaty relating to the fisheries, having once gone into operation, were not affected by a subsequent war, any more than were the provisions relating to boundaries. On the other hand, they argued that the clause in the earlier treaty, granting the free use of the Mississippi to British subjects (p. 229), had ceased to operate the moment war began. As no agreement could be reached on these points, further consideration of them was deferred until a more convenient opportunity. The news of the conclusion of peace and of Jackson's victory at New Orleans reached Washington at almost the same moment. The Republican party at once regained its former place in the people's esteem. To this consummation also the Federalists strongly contributed by a most inopportune display of hostility to the administration and to its policy.

Discontent in New England, 1812–14.

247. The Hartford Convention, 1814, 1815. — Six days before Jackson repelled Pakenham's last assault at New Orleans, the Hartford Convention adjourned. To understand this movement, we must examine at some length the course pursued by Massachusetts during the war. In the first place, it must be understood that New England had borne its full share in the conflict, notwithstanding the great unpopularity of the war in that section and the contest over the militia. To make this fact clear, it is only necessary to compare the parts borne by Virginia and by Massachusetts. The latter contained, according to the census of 1810, about seven hundred thousand inhabit-

ants; Virginia is credited in the same census with nine hundred and seventy thousand inhabitants, of whom five hundred and fifty thousand were negro slaves. In accordance with the federal ratio (p. 238), Virginia sent to Congress twenty-three members, Massachusetts twenty. The latter state furnished four times as much money for the support of the conflict as Virginia, and contributed more men to the armies of the United States during the war — apart from sailors on national vessels and in privateers — than did the states of Virginia, North Carolina, and South Carolina combined. On the other hand, the government withdrew its garrisons from the Massachusetts seaboard forts and harassed what was left of her commerce with an embargo.

Opposition to the administration, 1813–14.

The leading men of New England had no confidence whatever in the Southern and Western politicians who guided the policy of the government. They felt keenly the slights put upon New England, and resented the acts of the administration, many of which were of doubtful constitutionality, to say the least. They had recourse to the precedents of pre-revolutionary times, and followed in the footsteps of the leaders of the Republican party in 1798–99. The legislatures of Connecticut and Massachusetts passed laws directly in conflict with the act of Congress providing for the enlistment of minors, and subjected to fine and imprisonment those engaged in carrying the law into practice. On February 18, 1813, a committee of the Massachusetts legislature reported that "the sovereignty reserved to the states [in the Constitution] was reserved to protect the citizens from acts of violence by the United States. . . . We spurn the idea that the sovereign state of Massachusetts is reduced to a mere municipal corporation. . . . When the national compact is violated, and the citizens of the state are oppressed by cruel and unauthorized law, this legislature is bound to interpose its power and wrest from the oppressor its victim." The campaign of 1814 brought no relief to New England; the British,

who in the earlier years of the war had forborne to attack that section, now waged active hostilities on the New England coast. They seized the eastern towns in Maine, levied contributions on many seaboard places, and bombarded Stonington in Connecticut. October of that year found the New Englanders in a sterner frame of mind than before. The legislature of Massachusetts suggested that a conference of delegates of the New England states should be summoned, to propose such measures as were "not repugnant to their obligations as members of the Union." The conference, or convention, as it was ordinarily termed, was held at Hartford (December, 1814, to January, 1815). It adopted resolutions suggesting that the New Englanders should be permitted to defend themselves and should therefore retain a reasonable portion of the federal taxes assessed upon them. It also suggested certain amendments to the Constitution, and laid down the constitutional doctrines applicable to the matter in language which must have sounded most unpleasantly familiar to Jefferson and Madison:

The Hartford Convention. 1814–15. Schouler's *United States*, II, 469–476.

"In cases of deliberate, dangerous, and palpable infractions of the Constitution, affecting the sovereignty of a state and liberties of the people; it is not only the right but the duty of such a state to interpose its authority for their protection. . . . When emergencies occur which are . . . beyond the reach of the judicial tribunals, . . . states which have no common umpire must be their own judges and execute their own decisions" (compare p. 286).

It was often the fate of the Federalist party to propose action either too early or too late. The commissioners sent to Washington to arrange for a reasonable division of the proceeds of the federal taxes reached the capital to find peace declared. They hastened home amid the jeerings of the Republican press.

248. Results of the War. — The war cost the American people the lives of thirty thousand men, and as many more were wholly or partly incapacitated from leading happy,

Cost of the war.

vigorous lives. The national debt rose by leaps and bounds, until in 1816 it amounted to one hundred and twenty-seven million dollars; about one hundred millions of this sum was an absolute increase of the debt. The actual money cost of the war was much greater, and was probably not less than two hundred million dollars. On the other side of the account, there was absolutely nothing material to show for this great expenditure of human life, this amount of human suffering, and this mass of treasure.

Results of the war. Schouler's *United States*, II, 492, 501; Johnston's *Orations*, I, 219.

Indirectly and unconsciously there was a gain not to be measured in human lives or in dollars: the American people ceased to be provincial and began to appreciate its oneness, it began to feel and to act as a nation. Before this time American politics had been dominated by European politics, — there had been British parties and parties favoring France. The War of 1812, and the economic changes consequent on the restoration of peace in Europe, completely changed these conditions. Northern capitalists competing with the manufacturers of Britain forgot their former friendships; on the other hand, the cotton planters of the South found in the British manufacturers their best customers; they, too, became forgetful of their former hatred of all things British. Furthermore, the pressure of the conflict compelled the federal government to adopt measures which even Hamilton would have feared to suggest, while the Federalists, soon to disappear as a party, became the champions of strict construction. In this way democracy and nationalism grew together. The War of 1812 has been often and truly called the Second War of Independence, which should be understood to mean not merely independence of other nations, but of the conditions of colonial life.

New economic conditions.

249. Altered Industrial Conditions, 1816. — On the return of peace it at once became evident that new economic forces had come into existence. These new factors in national progress were to exert a powerful influence on the course of politics and to determine the positions to be assumed

by political leaders. It will be well to consider this subject with some care.

During the period of commercial restriction and of war, the Northern capitalists had been obliged to find new means of employment for their idle funds, which could no longer be profitably invested in the shipping interests. They turned their attention to manufacturing enterprises and established the textile industries of the North. As soon as peace was concluded, British manufacturers sought to regain their former profitable markets in the United States. They sent immense quantities of goods to the American ports, and the Northern manufacturers saw the markets for their cottons, woolens, and iron rapidly slipping from them. They could not return to the shipowning industry to advantage, as the general peace which now prevailed brought their vessels into competition with those of all the maritime nations of Europe. They appealed to Congress for aid in the shape of a protective tariff, which would preserve the home market to them. One result of this appeal was the Tariff Act of 1816. A more important outcome of this change in the economic development of the country was the extinction of the Federalist party. It was now powerless to aid the Northern mill owners in securing the requisite legislation; they turned for aid to the Republicans, and the Federalist party, abandoned in the house of its friends, disappeared as a political organization.

Protection, 1789–1815.

250. Early Tariff Legislation, 1789–1815. — The act for raising revenue, passed in 1789, had for one object "the protection of manufactures," but the rates levied in that act were too low to give an effective impulse to young industries. It should also be said that the country was not then prepared for the establishment of manufacturing enterprises on an extended scale. Subsequent acts had increased the rates of taxation on imports, and had thereby given added protection. This was especially true of a law passed in 1812 for doubling all the duties; but these later acts were designed to provide revenue — whatever protection

they afforded was incidental. The embargo and non-intercourse laws had also operated to give protection, and so had the high rates of freight which the commercial policy of Great Britain and France made inevitable. The War of 1812 had added to the encouragement afforded by these earlier restrictions on commerce, and in 1815 the textile industries of the North may be considered to have been established.

Growth of manufacturing industries, 1800–15.

251. Growth of Textile Industries, 1800–15. — The development of the manufacture of cotton was extraordinary. In 1803 there were four cotton factories in the country; five years later there were fifteen mills, with eight thousand spindles. By 1811 the number of spindles had increased tenfold, to eighty thousand, and in 1815 there were five hundred thousand spindles in operation. The home consumption of cotton tells the same story of rapid growth: in 1800 American manufacturers used five hundred bales; in 1815 they consumed ninety thousand bales. The question which came before Congress in 1816 was whether this rapidly growing industry should be crushed by foreign competition or should be permitted to live. If the latter course commended itself to Congress, the best way to secure it was to lay so heavy a duty on foreign cotton cloth that its importation would be unprofitable.

The case was somewhat the same as to the woolen and iron industries, although the story of their rise is not so striking as that just related of the cotton manufacture.

Calhoun and Webster on protection.

252. Tariff Act of 1816. — Congress was still controlled by the politicians who had urged on the declaration of war in 1812. At this period in his career Calhoun was in favor of a strong nationalizing policy. "Let us make great permanent roads . . . for . . . defense and connecting more closely the interests of various sections of this great country," he said in 1816, and he strongly advocated protection "to encourage . . . domestic industry." Even Jefferson declared that the manufacturer and the agriculturist must stand side by side. On the other hand, Webster, represent-

ing the shipping interests of Boston, strongly opposed protection, and John Randolph sounded an unheeded note of warning when he declared that the proposed tariff would bear heavily "upon poor men and slaveholders."

Tariff Act of 1816.

The act as it was passed (April 27, 1816) imposed a duty of about twenty per cent on all cotton and woolen goods imported from abroad, and specific duties on salt and iron imported. In addition, "the minimum principle" was adopted. This provided that no duty on cotton and woolen goods should be less than six and one quarter cents per yard. As this rate was far more than twenty-five per cent of the price of coarse fabrics which were worn by slaves in the South, the tariff was unfavorable to the interests of Southern slaveholders.

Monroe elected President, 1816.

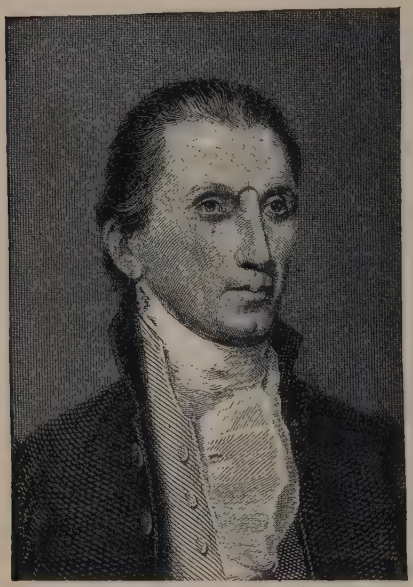
253. Monroe's Administrations, 1817–25. — In 1816 a presidential election was held. Following the example set by Washington and Jefferson, Madison declined to be a candidate for a third term, and James Monroe of Virginia was elected President. In earlier life Monroe had been an advanced democrat, but his ardor had cooled. He had forgotten many of Jefferson's early teachings, and had become almost, if not quite, as much in favor of building up a strong central government as any Federalist had been. As a diplomatist, Monroe had served long abroad, but had not gained great success; in 1806 he had put his name to a treaty with Great Britain which Jefferson would not even submit to the Senate (p. 323). Monroe had then retired into private life, from which he had come at Madison's request to take the position of Secretary of State. During the War of 1812, he had shown unexpected strength; he had resisted unwise popular demands and had risen above the position of the ordinary party chief. He was a man eminently fitted to lead the nation in the peaceful times which were now approaching. Party spirit declined, and Monroe was re-elected President in 1820 with only one vote lacking, that withheld by a New Hampshire elector who was determined — so the

story goes — that Washington should be the only man unanimously elected to the presidency.

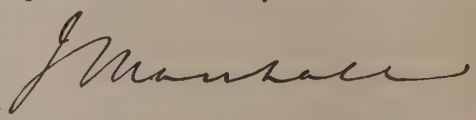
Policy of nationalization.

254. The Policy of Nationalization. — Monroe fell in with the popular demand for nationalization, for protection, and for public improvements. The Tariff Act of 1816 had been passed with the aid of votes from all sections of the country. The new leaders of the Republican party adopted the prevalent ideas of nationalization, and the Supreme Court, in a series of remarkable decisions, prepared the way for the carrying out of the new policy. One of these decisions was given by Chief Justice John Marshall, in the case of McCulloch *vs.* Maryland. The case arose out of the attempt of the state of Maryland to tax the Second United States Bank, which was chartered in 1816. In delivering the decision of the court, the Chief Justice said in substance: A national bank is an appropriate means to carry out some of the implied powers conferred on the national government by the Constitution. If the end is within the scope of the Constitution, all means which are plainly adapted to that end, and which

Marshall's decisions.



James Monroe



are consistent with the spirit of the organic law, are constitutional. A similar course of reasoning would have upheld the constitutionality of the tariff and perhaps internal improvements as well. In other decisions the Supreme Court greatly restricted the functions of the states, as in the case of Fletcher *vs.* Peck and in the Dartmouth College case, where the clause of the Constitution (Art. i, § 10) forbidding the states to pass any law impairing the obligation of contracts was held to mean that the state of Georgia could not revoke grants of land fraudulently obtained, and that the state of New Hampshire could not modify a charter granted to a corporation before the Revolution. In these and other decisions, the power of the states was greatly diminished, and that of the United States in the same measure increased.

Settlement of the West.

This great increase of authority to the national government and the complete change of attitude of the dominant party on questions of interpretation of the Constitution, was due in part to the rapid settlement of the West. Six states were admitted to the Union between 1816 and 1821, of which five were west of the Alleghanies, and one of them, Missouri, west of the Mississippi. The Westerners desired better means of transport, and looked to the general government to construct roads and canals and to improve rivers and harbors; they desired, too, to have some of their products protected, as hemp and wool. One of Madison's last acts as President had been to veto a bill devoting fifteen hundred thousand dollars, which the Second United States Bank paid for its charter, to the construction of roads and canals and the improvement of rivers. Madison, like Jefferson, favored internal improvements; but, like Jefferson, he believed them to be beyond the powers conferred on the general government by the Constitution; an amendment would be necessary to make such acts legal. Monroe took a similar view, and in 1822 vetoed a bill for the repair of the Cumberland road, which had been built out of the proceeds of the public lands. In the next year (1823) the first step was taken in the appropriation of money by Con-

gress for the improvement of harbors, but the matter did not assume important proportions until after the close of Monroe's second term.

Relations with Great Britain, 1815–18.

255. Relations with Great Britain, 1815–18. — The Treaty of Ghent had ended the war with Great Britain, but it had left many important questions to be decided by future negotiations. These were at once begun. The British government, although not in precisely a conciliatory frame of mind, was more reasonable than it had ever been before. In 1815 it consented to a commercial convention which opened a portion of the British West India trade to American vessels; the convention also contained an important provision designed to secure the abolition of discriminating duties and charges in either country against the vessels and goods of the other. This arrangement was limited to four years, but was extended for ten years longer in 1818. In the latter year an important treaty was negotiated in regard to the fisheries and the northern boundary of the United States. With regard to the fisheries, the United States consented to give up some of its rights under the treaty of 1783; Great Britain, on her part, recognized the remainder as being permanent in character; she also gave up her rights to the navigation of the Mississippi. The northern boundary was to follow the forty-ninth parallel from the Lake of the Woods to the Rocky or Stony Mountains, as they were then termed. The United States in this way abandoned a small portion of Louisiana and acquired a valuable bit of territory in the basin of the Red River of the North. (Map No. IV.) As to Oregon, or the region lying between the Rocky Mountains and the Pacific, north of the Spanish possessions in California, no agreement as to division could be reached. It was arranged, therefore, that both Great Britain and the United States should occupy it jointly for ten years.

Commercial convention, 1815.

Treaty of 1818. Winsor's *America*, VII, 489.

An attempt was also made to come to some conclusion in regard to the suppression of the African slave trade; but agreement was impossible, owing to the divergent ideas of

the two governments as to the "right of search," since the United States refused to permit British men-of-war to stop and search vessels flying the American flag.

Relations with Spain, 1810–19. Winsor's *America*, VII, 497, 543.

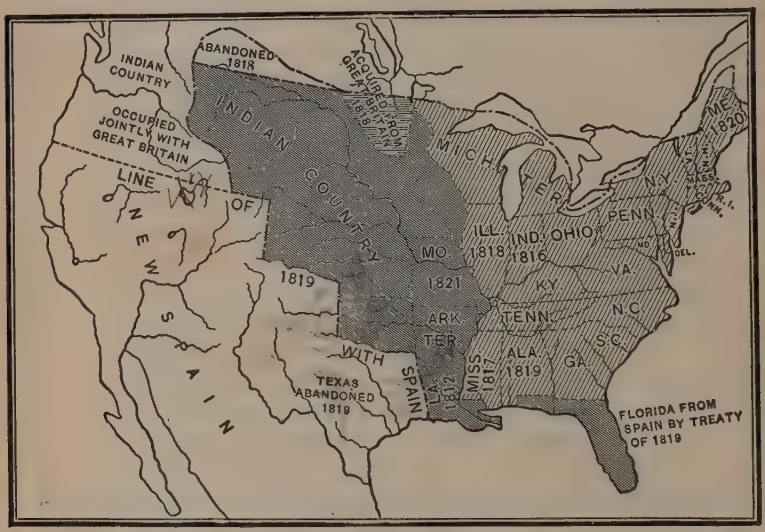
256. Relations with Spain, 1810–19. — It will be remembered that the desire of the United States to acquire West Florida and New Orleans had brought about the Louisiana Purchase, which Spain had steadily maintained did not include West Florida (p. 318). In 1810 and 1812 the United States had seized a portion of that province, but had left the remainder and East Florida in the hands of Spain. This matter gave rise to constant irritation; Spain refused to recognize the title of the United States to West Florida or to sell East Florida. The American government, on its part, held fast to the territory it had seized and endeavored to buy the eastern province. East Florida was of slight value to Spain, and the Spanish government was so beset with difficulties in Europe and America (p. 355) that it could not properly govern any of its American possessions. East Florida was used by all sorts of fugitives from the United States,— white, black, and red. It was also a convenient base for the organization of smuggling expeditions into the United States. The situation was especially grave as to the Indians, for whenever those in Georgia and Alabama rebelled, they fled across the frontier to Florida and received shelter and assistance from its inhabitants. In 1818 General Jackson pursued a body of marauding Seminoles across the boundary. Finding that they were aided by the Spanish settlers at St. Marks and Pensacola, he seized those two places. While in Florida he also executed two British subjects, Arbuthnot and Ambrister, who appeared to be intriguing with the natives against the United States.

Jackson invades Florida, 1818. Schouler's *United States*, III, 57–93.

Jackson's raid aroused discussion in the cabinet: John Quincy Adams, Monroe's Secretary of State, defended it; all the other members of the administration disapproved it; one of them, John C. Calhoun, Secretary of War, proposed that Jackson should be tried by a court-martial for insubordination, but nothing was done.

Purchase of Florida, 1819. Winsor's *America*, VII, 499.

257. The Florida Treaty, 1819. — Negotiations had been in progress for some time for the purchase of East Florida, or, as we may now call it, Florida, and the settlement of all existing disputes with Spain. The negotiations were brought to a conclusion by a treaty which was signed at Washington (1819) and was ratified in 1821. By this instrument, Spain ceded Florida to the United States and



The United States, 1819

The line of 1819.

abandoned all claim to lands lying east and north of the following line: beginning at the mouth of the Sabine River, this line followed that stream to the 32d degree of latitude, thence due north to the Red River, and along that river to the one hundredth meridian; from that point the line ran due north to the Arkansas River, and followed the channel of that stream to its source, thence northward or southward, as the case might be, to the forty-second parallel and along that line to the Pacific Ocean. The United States abandoned its claim to lands south and west of this line and agreed to

pay five million dollars to American citizens who had claims against Spain for property which had been wrongfully seized. The effect of this settlement was that the United States acquired Florida and gave up Texas. The letters which were written by John Quincy Adams during this long negotiation are of great importance in diplomatic history. Singularly enough, it was reserved for his grandson, Henry Adams, to prove conclusively that the United States had a perfect title to Texas.

Ratification of the treaty, 1821.

The Florida treaty was signed on February 22, 1819, and was ratified by the Senate without opposition or delay. Spain, however, postponed ratification for nearly two years. At last, in 1821, the agreement was completed. Jackson was appointed governor of the new territory of Florida, which was admitted to the Union as a state in 1845. Those portions of the old province of West Florida which were seized in 1810 and 1812 were added to the states of Louisiana, Mississippi, and Alabama, giving the two latter access to the Gulf of Mexico.

Rebellions in the Spanish colonies, 1808–22. Schouler's *United States*, III, 25–36.

258. The Spanish-American Colonies, 1808–22. — The Spanish-American colonies in South and Central America and Mexico had originally thrown off their allegiance to the Spanish monarch when Napoleon thrust his brother on the Spanish throne (1808), but on the restoration of the old monarchy they had returned to their obedience to the sovereign of Spain. In the interval they had enjoyed freedom of trade with other nations. Spain again imposed the old colonial system; her colonists again rebelled (1816), and the government of the mother land was too weak to compel submission. The ten years following the final downfall of Napoleon in 1815 were a period of great unrest among the nations of Europe. In 1820 the Spaniards themselves rebelled against their restored monarch. Under these circumstances the Spanish colonists were able to maintain their independence, and by 1822 revolutionary governments had been established in every Spanish colony on the American continents.

The Holy Alliance. Schouler's *United States*, III, 277.

The elements of revolutionary unrest in Europe had caused the European monarchs to form a "concert" termed the "Holy Alliance," to do "each other reciprocal services," or, in plain language, to maintain one another's rights and privileges. Great Britain was not a member of this league, but many leading Englishmen undoubtedly sympathized with the reactionary tendencies of its framers. In 1823 France, in the name of the "Holy Alliance," restored the Spanish king to his throne. He eagerly besought his fellow-monarchs to complete their work by restoring his authority in the rebellious American colonies. The apprehension that something of the kind might be attempted, aroused the commercial animosities of English merchants, who had established a profitable trade with the revolted states and had no wish to see the Spanish-American ports again closed to British vessels. Putting aside for the moment his overbearing manner, Canning, the British foreign minister, courteously addressed the American envoy at London, Mr. Richard Rush, and proposed that Great Britain and the United States should make a concurrent declaration against the course which the Holy Alliance seemed about to take (1823).

Canning's proposition. Schouler's *United States*, III, 284.

Independence of the Spanish colonies recognized, 1822. Schouler's *United States*, III, 255.

The insurrectionary movements in the Spanish-American colonies had awakened the pity of the citizens of the United States. They sympathized with republican movements in general, they were interested in the trade of Spanish America, and they especially disliked the idea of European nations interfering in American affairs. Monroe and Adams, both experienced diplomatists, carefully observed the restrictions imposed on neutrals by international practice. By 1822, however, they thought that the time had come to recognize the independence of the colonies. This was accomplished by the appropriation of money to defray the expenses of diplomatic missions to "the independent nations on the American continent."

Russians on the northwest coast.

259. **The Monroe Doctrine, 1823.** — Meantime, another cause for anxiety had arisen. Russia had obtained a foot-

hold on the northwestern coast of America, and seemed determined to reserve the trade of that region to herself. In 1821 the Czar issued a decree, or *ukase*, forbidding all foreigners to approach within one hundred miles of the American coasts north of the fifty-first parallel. Russian fur traders were constantly appearing farther south, and it was feared that Russia would extend her influence down the coast to Oregon, and even to California. The Czar was also the leading spirit of the Holy Alliance. Bearing in mind all the circumstances of the case, the situation might well seem desperate; the United States government might have been pardoned had it grasped at Canning's proffered friendship, but the offer was politely declined, largely through the wise insistence of John Quincy Adams. He believed that joint action with Great Britain would probably lead to a new partition of America between the principal states of Europe. If this should happen, France might again become an American power, Russia might gain Oregon and perhaps California, and Great Britain might acquire increased strength. Monroe finally accepted this view of the problem and stated the policy of the government in his Seventh Annual Message (December, 1823).

Enunciation of the Monroe Doctrine, 1823. Winsor's *America*, VII, 502; Schouler's *United States*, III, 286, 293; *American History Leaflets*, No. 4.

Referring to the rights and interests of the United States and Russia on the northwest coast, the President said: "The occasion has been judged proper for asserting as a principle . . . that the American continents, by the free and independent condition which they have assumed and maintain, are henceforth not to be considered as subjects for future colonization by any European power." Turning to the question of European intervention to settle the relations between Spain and her former colonies, Monroe stated that: ". . . The citizens of the United States cherish sentiments the most friendly in favor of the liberty and happiness of their fellow-men on that side of the Atlantic. In the wars of the European powers, in matters relating to themselves, we have never taken any part, nor does it comport with our policy to do so. It is only when our rights

are invaded or seriously menaced that we resent injuries or make preparation for our defense. With the movements in this hemisphere we are of necessity more immediately connected, and by causes which must be obvious to all enlightened and impartial observers. The political system of the allied powers is essentially different in this respect from that of America. This difference proceeds from that which exists in their respective governments. And to the defense of our own, which has been achieved by the loss of so much blood and treasure, and matured by the wisdom of their most enlightened citizens, and under which we have enjoyed unexampled felicity, this whole nation is devoted. We owe it, therefore, to candor, and to the amicable relations existing between the United States and those powers, to declare that we should consider any attempt on their part to extend their system to any portion of this hemisphere as dangerous to our peace and safety. With the existing colonies or dependencies of any European power we have not interfered, and shall not interfere. But with the governments who have declared their independence, and maintained it, and whose independence we have, on great consideration and on just principles, acknowledged, we could not view any interposition for the purpose of oppressing them, or controlling in any other manner their destiny, by any European power, in any other light than as the manifestation of an unfriendly disposition toward the United States."

Authorship of the message.

These memorable sentences were written by John Quincy Adams, but the responsibility for the announcement of the policy was Monroe's, and the message was rightly coupled with his name. In truth, the principles set forth in this famous document originated neither with Adams nor with Monroe; their genesis may be traced back to Washington's Neutrality Proclamation and to Jefferson's famous phrase of "entangling alliances with none" (p. 311). The "Monroe Doctrine" was the established policy of the United States long before 1823, and has been cherished and ex-

tended by later statesmen. It would be better now to drop the name of Monroe altogether and to call this policy, which is usually associated with his name, the American Policy. As circumstances change, the great principles underlying it have been, and must be, applied to new conditions; but the use of Monroe's name seems to confine them to those problems only which confronted the government in 1823. J. Q. Adams

Although Canning's suggestion of concurrent action was not received with favor by the United States, the British authorities acted in harmony with the administration at Washington. Mr. Canning caused the French government to be informed that the use of force by the Holy Alliance would at once lead to Britain's recognition of the independence of the Spanish colonies in America. The projects of the Holy Alliance as to the New World fell dead. At nearly the same time satisfactory arrangements were made as to the limits of Russia's dominion on the northwestern coast.

Treaty with Russia, 1824. Schouler's *United States*, III, 330.

260. The Russian Treaty of 1824. — This treaty was negotiated during Monroe's administration. It is called the Treaty of 1824, although it was not ratified until January of the next year (1825). It declared the fisheries and navigation of the Pacific open to both parties and fixed the parallel of 54° 40′ as the dividing line between the "spheres of influence" of the two contracting parties, the Americans to make no settlements north of that line nor the Russians south of it.

With the arrangement of this matter, the old foreign policy of the United States may be said to have terminated. Questions of internal policy had already assumed the foremost position, and the struggles of political parties turned more and more on the contest over the extension of the slave system to new territory, and to the perpetuation of the protective tariff.

261. Extension of Slave Territory. — The Ordinance of 1787, prohibiting slavery north of the Ohio River (p. 225),

Slave and free territory, 1820. Schouler's *United States*, III, 134–146.

and the acts of Congress admitting free states north of that river and slave states south of it (p. 306), had settled the question of free and slave soil east of the Mississippi by making the Ohio from Pennsylvania to the Mississippi the dividing line. The question of slavery west of that great stream had not been determined. Was the vast region between the Mississippi and the Rocky Mountains to be devoted to freedom or to bondage, or to be divided between them, as the original territory of the United States had been?

Proposal to admit Missouri as a slave state. Johnston's *Orations*, II, 33–101.

In 1812 Congress had admitted the slave state of Louisiana to the Union. For six years nothing more was heard of the question, until March, 1818, when Missouri applied to Congress for admission to the Union; but no action was taken at that session. In the following December (1818) a bill was introduced organizing the southern portion of the old Missouri Territory as a new territory under the name of Arkansas. The boundary line between the proposed state and territory was given in the bill as the parallel of 36° 30′ north latitude; this would be substantially a prolongation of the Ohio River line. In February, 1819, the consideration of these bills began in earnest, and at once the question of the extension of slave territory became of the greatest importance. James W. Tallmadge, a representative from New York, moved to amend the Missouri bill to the effect "that the further introduction of slavery or involuntary servitude be prohibited and that all children of slaves born within the said state after the admission thereof into the Union shall be free." The proposed state was north of the prolongation of the Ohio dividing line, and directly west of the free state of Illinois; it seemed to the Northerners only right that it should be free soil, and they voted for Tallmadge's amendment. It was carried, the bill was passed by the House, and was sent up to the Senate. The Arkansas bill was then taken up, and John W. Taylor, another representative from New York, moved the substance of Tallmadge's proposition as an amendment

Proposals to restrict slave extension. Schouler's *United States*, 147–155; MacDonald's *Documents*, Nos. 35–41.

to that bill; but the motion was defeated by the casting vote of Henry Clay, who was once more Speaker of the House of Representatives. McLane of Delaware then proposed that a line should be fixed west of the Mississippi "north of which slavery should not be tolerated," and Taylor, acting on this suggestion, moved that slavery should be prohibited north of 36° 30′ north latitude; but he subsequently withdrew his amendment, and the Arkansas bill passed in its original form. The Senate accepted the Arkansas bill, refused the Tallmadge amendment to the Missouri bill, and Congress adjourned without coming to a decision.

Seriousness of the crisis.

This question of the expansion of slave territory, which had suddenly come before Congress, aroused an amount of interest and excitement such as no other measure had awakened for years. John Adams, in his retired home at far-off Quincy, Massachusetts, wrote that he hoped no harm would come of it; but Jefferson, at his mansion of Monticello, Virginia, nearer the scene of conflict, was not at all hopeful, and declared that during the Revolutionary War there had not been such a serious division of opinion.

Ashland, Clay's residence

The Compromise of 1820. Schouler's *United States*, III, 155–165; Rhodes's *United States*, I, 30–41.

262. The Missouri Compromises, 1820, 1821. — A new Congress assembled in December, 1819, and the slavery question at once became the most important matter of the session. Meantime, the Province of Maine had asked to be admitted to the Union with the consent of Massachusetts, with which Maine had been united since 1676 (p. 105). The House of Representatives promptly passed a bill for its admission; but when the measure came before

the Senate, a clause providing for the admission of Missouri was tacked to it by way of amendment (January, 1820). In the course of the discussion, the Senate refused to adopt an amendment prohibiting slavery in Missouri, but accepted one proposed by Jesse B. Thomas of Illinois, in the following language: "That in all that territory ceded by France to the United States under the name of Louisiana, which lies north of thirty-six degrees, thirty minutes north latitude, not included within the limits of the state contemplated by this act, slavery . . . shall be and is hereby forever prohibited." The bill in this form finally passed the Senate by the votes of the senators from the Southern states and Illinois. The proposal in plain language was to balance the admission of the free state of Maine by the admission of the slave state of Missouri, and to forbid slavery in the remainder of the Louisiana Purchase north of Arkansas. The form in which the compromise was effected aroused a good deal of friction between the two houses. Finally, it was passed and received the President's approval.

Discussion in the cabinet. Schouler's *United States*, III, 166–171.

In the cabinet there was an interesting discussion as to the constitutional power of Congress to prescribe conditions under which states might be admitted into the Union. All the members of the cabinet concurred in the opinion that Congress had power under the Constitution to prohibit slavery in the territories. It should be noted that the Southern members agreed in this view,— Wirt of Virginia, Crawford of Georgia, and John C. Calhoun of South Carolina. In point of fact, there were few persons then in political life who would have denied that Congress possessed full power to impose conditions on the admission of new states.

More compromise, 1821. Schouler's *United States*, 178–186.

The bill, as passed, admitted Maine to the Union and authorized Missouri to form a constitution and apply to Congress for admission. In 1821 the constitution of Missouri came before Congress for formal approval. It was found to contain a clause forbidding the entrance of

free blacks into the state. Free blacks were then and for a long time thereafter regarded as citizens of the United States, and the federal Constitution guaranteed certain rights to all citizens. This clause in the Missouri constitution therefore raised a very serious question. Many Northerners would have gladly seized this opportunity to overturn the compromise of 1820. In the end, however, under the influence of Henry Clay, the matter was again compromised. Missouri was admitted under the proposed constitution, with the proviso that no interpretation should ever be placed on the clause in question which should in any way diminish the rights of citizens of the United States, — a proviso which meant absolutely nothing. The Missouri Compromise postponed the conflict over the extension of slavery for a whole generation. It may be considered to have been justifiable, as it gave the free North time to develop its strength. On the other hand, it intensified the division into sections, which was already so apparent, and when the time came for the compromise to be of real value to the cause of freedom, it was disregarded and pronounced unconstitutional (pp. 434, 448).

Tariff of 1824. Schouler's *United States*, III, 295–298.

263. The Tariff of 1824. — The eight years which had elapsed since the passage of the Tariff Act of 1816, of which Calhoun was one of the chief supporters, had witnessed a great change in the attitude of the several sections of the country on the question of protection. The Southerners, who had then not opposed the policy, were now its declared enemies. Although they had not suffered much actual damage from it, the tariff was clearly of no benefit to them, and seemed, on the other hand, to be of great benefit to two classes, — the agriculturists of the West and the manufacturers of the North. The Westerners had favored the Tariff Act of 1816; they now clamored loudly for the extension of the principle. They argued that the building up of thriving manufacturing communities in the East would give them markets near at hand for their surplus products, and the large revenues which were likely to result from

The argument for a high tariff.

increased duties would enable the government to construct new avenues of communication across the Alleghanies, and thus render the new markets more accessible. In the North, also, there was now much less opposition to a high tariff than there had been earlier. The iron masters of Pennsylvania were eager for more protection, and the tariff had enabled the New England manufacturers to pass successfully through a commercial crisis in 1818–19 and had been an incentive to a large increase in the manufacturing industries of that section. The most remarkable development in this direction was the founding of the town of Lowell, where there was an important water power supplied by the Merrimac and Concord rivers. There a large mill for spinning and weaving had been erected and opened for business in 1823.

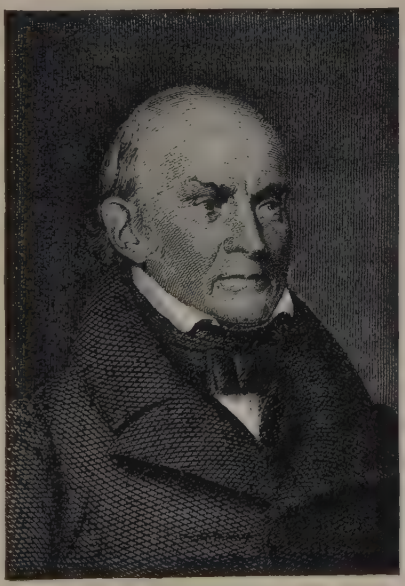
Arguments for and against protection, 1824. Taussig's *State Papers*, 252–385.

The new tariff was pressed forward on the eve of a presidential election, when no candidate wished to offend those interested in the development of protection. Webster, who still represented the commercial as opposed to the manufacturing interests of New England, argued against it in a speech which contains one of the best expositions of free-trade principles anywhere to be found. The votes of the Western, Middle, and Eastern states were too numerous for those of the South, and the bill passed. It increased the duties on iron, wool, hemp, and, to a less degree, on woolen and cotton goods. The general average of duties on protected goods, which had been twenty-five per cent in 1816, was now increased to thirty-seven per cent.

The "Era of Good Feeling," 1821–25. Schouler's *United States*, III, 259–270.

264. The Election of J. Q. Adams, 1824, 1825. — Monroe's second administration (1821–25) has often been called the "Era of Good Feeling," and so it was in the country as a whole. The people, busied in preparing for the great industrial expansion of Jackson's time, forgot political animosities and bent all their energies to building the material foundations of future successes. Among the politicians, however, it was far from being an "era of good feeling"; on the contrary, it was a period of political

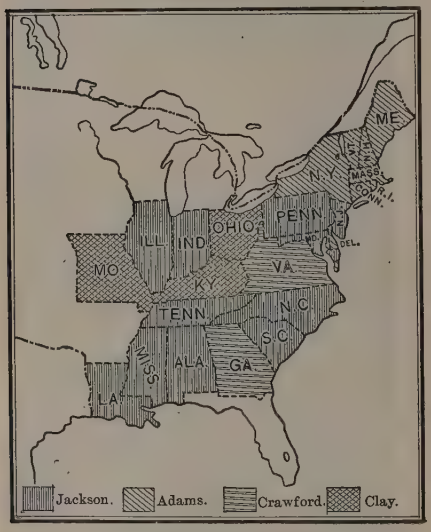
intrigue and ill feeling among the leading men seldom equaled in the nation's history. It was a time when the forces which were to control the destiny of the country were taking form, although their shapes were not yet sufficiently molded to attract the allegiance or animosity of the politicians to such an extent as to make a new division of political parties. Nevertheless, the candidates for the succession to Monroe represented, in a manner, these new forces.



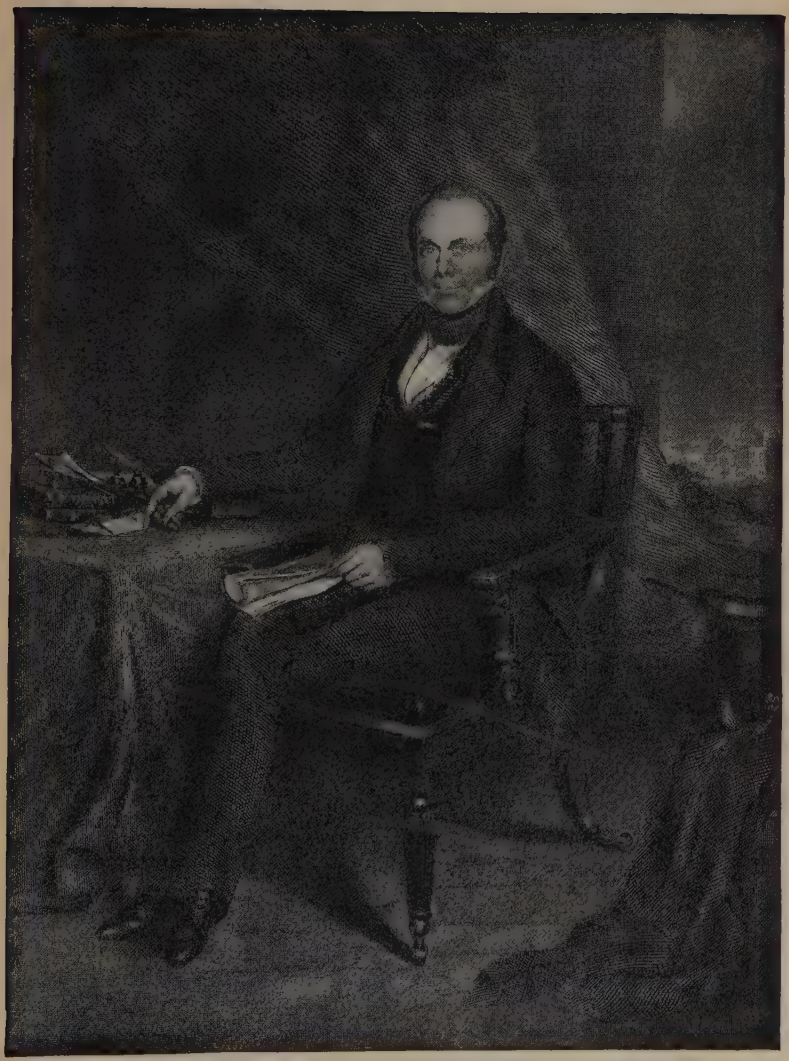
John Quincy Adams

Of Monroe's cabinet three men aspired to succeed their chief. The first to come forward was John C. Calhoun of South Carolina, Secretary of War, heretofore identified with nationalizing doctrines, but now beginning to change his mind; the prospect of an undisputed election to the peaceful seclusion of the vice-presidency determined him to withdraw from the struggle for the first place. William H. Crawford of Georgia, Secretary of the Treasury, began his preparations to secure the nomination as far back as 1820, by procuring the passage of an act limiting the tenure of civil officers to four years. It was stated that the purpose of this law was to secure a better accountability on the part of those who handled public moneys; in reality, it was devised to enable Crawford to thrust out of the treasury

without arousing public attention all officials who were not favorable to his presidential aspirations. John Quincy Adams of Massachusetts, Secretary of State, also aspired to the presidency. In addition, Henry Clay, still Speaker of the House, became a candidate, and the friends of General Jackson, now senator from Tennessee, put him forward as the representative of the people, especially those of the West. Nominating conventions were not then in fashion for federal offices, and besides there were no well-defined political parties behind the several candidates. Crawford secured the "machine" nomination of a congressional caucus, which, however, was attended by only a small portion of the Republican members of Congress. The other candidates were put forward by state legislatures: Adams by those of New England; Clay by those of five states, including his own state of Kentucky; Jackson by those of Tennessee and Pennsylvania. Adams and Clay represented the nationalizing tendencies of the Republican party in the North and West; Crawford stood for the reactionary principles which were then beginning to influence the South; and Jackson represented the new democracy, which was steadily acquiring strength in the West and even in the East. The future undoubtedly was with him and his



Election of 1824



Henry Clay in 1821. After a painting by Charles King

The election of 1824. Stanwood's *Elections*, 79–95; Schouler's *United States*, III, 304–329.

friends, but as yet the strength which lay behind him was unorganized. As it was, he received ninety-nine electoral votes — more than any other candidate; Adams received eighty-four votes, Crawford forty-one, and Clay thirty-seven. No candidate had obtained a majority, and the election went to the House, voting by states, and confined in its choice to the three highest on the list (p. 319). Clay was therefore out of the contest. His views and those of his supporters coincided more nearly with those of Adams than with those of either Jackson or Crawford. He advised his followers to vote for Adams, and the latter was elected.

Cry of corruption and bargain.

The Constitution had expressly given the House the right to choose from the three highest on the list. Nevertheless, the adherents of Jackson declared that the representatives had thwarted the will of the people. In a few days it became known that Adams had offered Clay the position of Secretary of State, which the latter had accepted, most unwisely, as events were to show. The opponents of Adams and Clay at once raised the cry that a bargain had been made between them. Jackson, who seldom calculated his words, and who had probably never forgiven Clay for his attempt to bring him to account for his raid of 1818 (p. 353), announced that Clay was "the Judas of the West"; and John Randolph of Roanoke, the bitter opponent of the nationalizing tendencies of Adams and Clay, asserted in his virulent way that it was "a combination between the Puritan and the blackleg." There is probably not an atom of truth in the charge of a bargain between the new President and his Secretary of State; the accusation was repeated, however, until even its inventors must have believed in it, and it did very great harm to both Adams and Clay.

J. Q. Adams. Schouler's *United States*, III, 336–343, 397–409.

265. J. Q. Adams's Administration, 1825–29. — Adams was in every way fitted for his new office. Absolutely fearless, honest, and upright, with a good mind and well trained to the administration of affairs, he would no doubt have succeeded admirably had he become President eight, or

even four, years earlier. He represented the sympathies and aspirations of the generation which was now fast losing its hold on the confidence of the people. With the forces that were to direct the future destinies of the country, he had little in common. His opponents reiterated the charges of "corruption and bargain"; they set on foot constant and causeless inquiries into the conduct of public officials; they discovered little wrongdoing, but the ceaseless round of charges kept alive the suspicions that many persons undoubtedly felt as to Adams's honesty and good faith.

On his part, Adams made many mistakes. He proposed a vast system of public improvements which alienated the support of the Southerners; he set his name to the worst tariff bill that the country has ever had; and he failed to carry on successfully the foreign relations of the nation.

Relations with Great Britain.

266. Foreign Relations, 1825–29. — The most unfortunate event in the foreign relations of these years was the closing of the British West India ports to American commerce. This was not due to any fault of Adams, but to untimely legislation by Congress. The administration did what it could to settle the matter amicably, but the British government refused to negotiate on the subject at all. In one respect, Adams and Clay were fortunate: they concluded many commercial treaties; but their good effect was more than offset by the loss of the British West India trade.

The Panama Congress. Schouler's *United States*, III, 358–365.

The administration took a warm interest in a Congress of all the American Republics, which met at Panama, in response to an invitation issued by General Simon Bolivar, the South American patriot. Adams was anxious to extend the influence of the United States over the other American states; he also desired to secure a general recognition of the principles set forth in the Monroe Doctrine. Acting on these ideas, he at once accepted Bolivar's invitation. When Congress met, however, the opposition seized on this as a favorable point of attack. Among the American states invited to be present at the Congress was the negro

republic of Hayti. The slave owners dreaded the example of the black republic on their slaves; they disliked the idea of sitting at a table on equal terms with the free negroes of Hayti; and they were alarmed lest the Panama Congress should adopt resolutions hostile to slavery. After considerable delay, Congress voted the funds necessary to enable the United States delegates to go to Panama. They did not arrive there until after the Congress had adjourned, and the whole affair ended in a ridiculous failure.

Georgia, the Indians, and the federal government. Schouler's *United States*, III, 370–381.

267. Adams and Georgia, 1825–27. — When Georgia had ceded her claims to Western lands to the United States (1802), the state and the federal governments had agreed that the latter should in some way remove the Indians from the lands remaining to Georgia. It was found very difficult to accomplish this. Georgia became impatient and proceeded to take possession of a portion of the lands, in virtue of a treaty which probably had no force. The government interfered to protect the Indians from unjust spoliation, and brought upon itself the anger of Governor Troup of Georgia, and of the legislative authorities of that state. The governor, echoing the Kentucky and Hartford Convention resolutions, stated that "between states equally independent . . . between sovereigns the weaker is equally qualified to pass upon its rights" as the stronger. A committee of the legislature went further, and reported that the time was approaching when the Southern states would be obliged to confederate. Adams, on his part, informed Congress that he intended "to enforce the laws, and fulfill the duties of the nation by all the force committed for that purpose to his charge." In Congress, however, the opponents of Adams and Clay were in the majority; they grasped the opportunity to humiliate the administration, and declined to support him. Adams was obliged to draw back, though at great loss to the national prestige. Georgia had successfully defied a weak administration; it remained to be seen whether South Carolina would be able to withstand a strong one (p. 395).

268. The Tariff of Abominations, 1828. — "The Tariff of 1828," says Professor Taussig, "was a political job." No political faction dared to oppose it in view of the approaching election. The Southerners were now very unfriendly to its protective policy, but, owing to the necessity of procuring the votes of the Jackson men in the protective North and West, they were obliged to find some expedient by which, while seeming to favor a high protective tariff, they might secure its defeat. According to Calhoun, the scheme adopted was the invention of Martin Van Buren, senator from New York, and chief of a political clique in that state known as the Albany Junto. Van Buren had opposed Jackson in 1824, but had since warmly attached himself to his cause and had organized his faction. The plan of these men was to promote the passage of a bill which should contain such high duties on raw materials — most of them produced in the West — that the representatives of the manufacturing states in the East would not vote for it. It was expected that the latter would join with the Southern representatives at the last moment, and by their votes insure its defeat. The scheme was a "curious commentary," to quote again from Professor Taussig, "on the politicians who were now coming into power." In the beginning, everything worked happily for the conspirators. A committee of the House of Representatives, composed mainly of Jackson men, reported a bill containing high duties on manufactured goods, which the manufacturers desired, and high duties on raw materials, which the Westerners wanted. The latter duties completely destroyed the effects of the former, so far as the manufacturers were concerned. When the bill came before the House, the Jackson men refused to allow amendments, except one, which slightly bettered the case of the manufacturers of coarse woolens. The same course was pursued by the Jackson men in the Senate. The bill, abominations and all, was better for the manufacturers than no bill. They doubtless expected to be able to secure the removal of some of the things which bore

The politicians and the tariff. Schouler's *United States*, III, 420–426.

most harshly upon them, — an expectation which proved to be well founded. The Adams men, therefore, much to the dismay of the plotters, voted for the bill, the President signed it, and it became law. A few illustrations will serve to show the character of the measure: (1) the duty on hemp, which was not produced in the country in any quantity, but was much used in Northern shipyards, was raised from thirty-five to sixty dollars per ton and (2) the duty on coarse wool, used in the manufacture of carpets and cheap woolen goods, was more than doubled, but no corresponding increase was made in the duty which was levied on the manufactured article.

The "abominations."

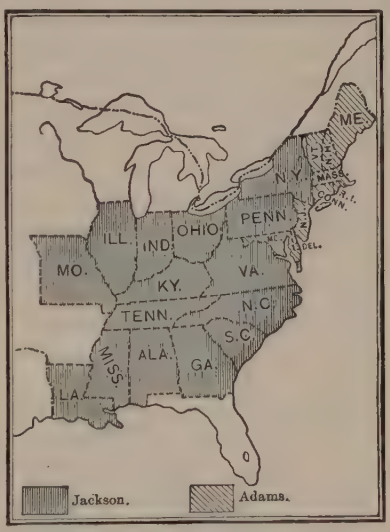
269. **Calhoun's *Exposition*, 1828.** — The Southerners were greatly angered by the passage of this measure, although it is impossible to say how much it injured them, if it injured them at all. There was a sense of grievance, at all events, and the leaders used it to promote the open declaration of states'-rights doctrines. Five Southern legislatures protested against the act, and the legislature of South Carolina set forth its ideas in an *Exposition and Protest*, drawn up by Calhoun (December, 1828). In this celebrated document Calhoun, reverting to the precedents of 1799 and 1815 (pp. 286, 343), argued that "the existence of the right of judging of their powers, clearly established from the sovereignty of the states, as clearly implies a veto or control on the action of the general government. . . . There exists a case [the Tariff of 1828] which would justify the interposition of this state, in order to compel the general government to abandon an unconstitutional power, or to appeal to this high authority [the states] to confer it by express grant." He suggested that a convention of the state of South Carolina should be held, to decide in what manner the Tariff Act "ought to be declared null and void within the limits of the state." So threatening, indeed, was the outlook at the time, that Webster wrote, "I became thoroughly convinced that the plan of a Southern confederacy had been received with favor by a great many of the

Calhoun's *Exposition*. See on this general subject, Calhoun's letter to Hamilton, in Stedman and Hutchinson, IV, 478.

political men of the South." Nothing more was done at the moment, possibly because the Southerners expected to find in the newly elected President a champion of their cause.

270. Election of 1828. — The presidential campaign which ended in the election of Jackson was fought with a bitterness and intemperance without a parallel in the earlier campaigns, except perhaps in that of 1800. Jackson was supported by men of all shades of opinion, from free-traders to high-protectionists, from states'-rights men to nationalists. Most of them would have been entirely unable to give any reason for their position, except a desire for change and a feeling that, with Jackson's election, there would be an end to the traditions which up to that time had guided the government, — an expectation in which they were abundantly justified by the event.

Campaign of 1828. Schouler's *United States*, III, 409–420, 426–439; Stanwood's *Elections*, 96–101.



Election of 1828

Many writers regard Jackson's election as the triumph of the people in opposition to the moneyed classes. Others maintain that it showed "the new West and the frontier had taken the whip hand in political management." Still other students see in it the victory of misrepresentation, slander, appeals to the passions, and political intrigue, and contend that a similar success could not be attained now, in the days of the rapid spread of intelligence. Certainly

Meaning of Jackson's election.

it was well understood that Jackson was a man "who stood by his friends"; those who worked for him were reasonably sure of reward. Adams, on the other hand, had steadily refused to use the public patronage to further his political fortunes; his re-election would do little to repay those who worked for him. Bearing all these things in mind, it is remarkable that Adams received as many votes in 1828 as he had obtained in 1824. All the rest were given to Jackson, who received one hundred and seventy-eight electoral votes to eighty-three for Adams. The practice of choosing presidential electors by popular vote had gradually been adopted in all the states, save Delaware and South Carolina. It is possible, therefore, to estimate the popular vote with some approach to accuracy. Jackson's majority, taking the states as a whole, was about one hundred and forty thousand. It is true, nevertheless, and worthy of note, that the change of a few thousand votes in Pennsylvania and New York would have given the electoral votes of those states and the election to Adams. Calhoun was re-elected Vice-President by a somewhat smaller majority than that given to Jackson.

The electoral vote.

The victory, such as it was, was undoubtedly a triumph of the new forces of unrest in political and social life. Sooner or later it was certain to come, and its coming at this time was fortunate. Adams was soon elected to the House of Representatives, where he gained a reputation as honorable as it has been unique, and one which he never could have won in administration. In Adams's place as chief magistrate, there appeared one of the most remarkable men America has produced, and one who was admirably fitted to ride the storm and direct the forces of the new democracy. The personal character, honesty, and good intentions of Andrew Jackson are unquestionable, however wrongful many of his acts may have been, and however mean and base were the motives of many politicians who fawned upon him and won office and money from his misplaced confidence.

Schouler's *United States*, IV, 185.

SUGGESTIVE QUESTIONS AND TOPICS

§§ 240–247, 248, 269. The War of 1812

a. Compare the mode of recruiting soldiers, and the manner of raising money, in the War of 1812 and the Civil War.

b. What do you think of the suggestion of Mr. Adams (§ 244) as applied to possible future wars of the United States?

c. Bring to class a brief digest of the history of Europe 1812–23. Why was the Czar anxious for peace between the United States and Great Britain?

d. Describe effects of the war upon national feeling, political parties, industrial history of the United States; upon sentiments of foreign nations towards us. Do you think the description, "Second War of Independence," well chosen?

e. Show that the qualities which made Madison great as a statesman unfitted him for a war president. Look up life and influence of Mrs. Madison.

§§ 247, 269. The Hartford Convention

a. Compare the resolutions adopted by the Hartford Convention with the Kentucky and Virginia resolutions, with the doctrines set forth in Calhoun's *Exposition*, and with the South Carolina resolutions of 1832.

§§ 249–254. Nationalization

a. Show how the decisions of the Supreme Court, noted in § 254, greatly diminished the power of the states and increased that of the federal government.

b. Upon what grounds did Jefferson, Madison, and Monroe believe internal improvements to be beyond the powers of the federal government? What is the view of the leading political parties to-day?

§§ 255–260. Foreign Affairs

a. Trace the history of the Monroe Doctrine to 1823. In your opinion did Cleveland's Venezuela message enunciate any new principle?

b. Place as heading in note-book, "Oregon," and enter under it all fitting matter as you proceed. What matter in these sections must you enter under it, and why? Precisely what did the word "Oregon" mean in 1818? in 1825?

c. Represent in colors upon an Outline Map all the territorial changes noted in this chapter.

§§ 261–262. The Missouri Compromises

a. Represent upon an Outline Map the effect of the several proposals noted in these sections.

b. State carefully the procedure in regard to the admission of Maine and of Missouri.

§§ 263, 265–268. Administration of J. Q. Adams

a. Bring to class a brief digest of the career of J. Q. Adams.

b. In what way did the tariff injure the South? in what way did it benefit the North and the West?

c. Which party had right and justice on its side in the affair mentioned in § 267?

§§ 264, 270. Elections of 1824 and 1828

a. Examine the maps on pp. 366 and 373, and determine how far the facts disclosed justify the statement that in 1828 "the New West and the frontier had taken the whip hand in political management."

b. How has it happened that the House has substantially lost the freedom of choice contemplated in the Constitution?

General Questions

a. The "Great Triumvirate" — Webster, Clay, and Calhoun: bring to class a digest of their careers.

b. The "Era of Good Feeling": why so called? Contrast it with the preceding period, 1789–1812.

c. What matter in this chapter must be entered in your note-book under "Particularism," and what under "Nationalism"?

Topics for Investigation by Individual Students

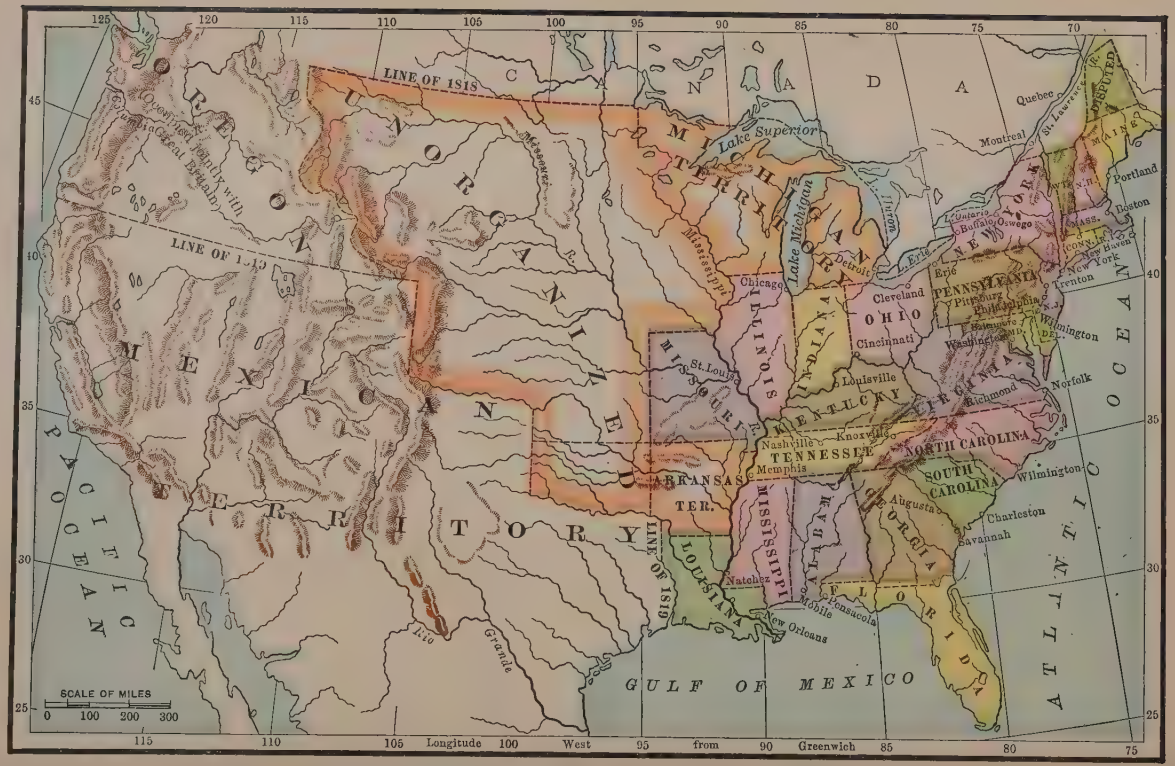
a. Summarize Monroe's message of 1823 (357, last reference).

b. Summarize Clay's argument for protection, 1824 (364, first reference).

c. Summarize Webster's argument against protection in 1824 (364, first reference).

d. Tabulate the election returns of 1824 by states (368, first reference of first group).

e. Tabulate the election returns of 1828 (373, last reference of first group).



No. VI. The United States, 1820

CHAPTER X

THE NATIONAL DEMOCRACY, 1829–1844

Books for Consultation

General Readings. — Johnston's *American Politics*, 109–148; Wilson's *Division and Reunion*, 22–146; Schouler's *United States*, III, 507–529, IV, 1–31.

Special Accounts. — W. G. Brown's *Andrew Jackson;* Von Holst's *Calhoun* (S. S.); Lodge's *Webster* (S. S.); Schurz's *Clay* (S. S.); Morse's *J. Q. Adams* (S. S.); Schouler's *United States;* *Greeley's *American Conflict;* Clarke's *Anti-Slavery Days;* Morse's *Lincoln* (S. S.); Goodell's *Slavery;* Taussig's *Tariff History;* Larned's *History for Ready Reference;* Wilson's *Presidents.* Larger biographies of the leading statesmen, *Guide*, § 25.

Sources. — *American History Leaflets; Old South Leaflets;* Benton's *Abridgment* and *Thirty Years' View;* J. Q. Adams's *Diary;* Williams's *Statesman's Manual;* Johnston's *American Orations;* Stedman and Hutchinson, *American Literature.* Writings of the leading statesmen, *Guide*, §§ 32, 33; MacDonald's *Documents.*

Maps. — Mac Coun's *Historical Geography;* Hart's *Epoch Maps*, Nos. 7, 8, 11.

Bibliography. — Channing and Hart, *Guide to American History*, §§ 56 a, 56 b (General Readings), §§ 180–189 (Topics and References).

Illustrative Material. — *Cooley's *Michigan* (A. C.); *Scharf's *Maryland* (A. C.); *Von Holst's *Constitutional History;* Quincy's *Figures of the Past;* Cooper's *Notions of the Americans;* Kemble's *Recollections of a Girlhood;* McCulloch's *Men and Measures;* Parton's *Jackson;* Trollope's *Manners of the Americans;* Wise's *Seven Decades;* *Gouge's *Money and Banking;* Olmsted's *Cotton Kingdom;* Garrisons' *Life of Garrison;* Roosevelt's *Winning of the West;* Hale's *Stories of Inventions;* Hubert's *Inventors;* Hapgood's *Daniel Webster.*

Seba Smith's *Life and Letters of Major Jack Downing;* Lucy Larcom's *A New England Girlhood;* Longstreet's *Georgia Scenes;* Hildreth's *The Slave;* Hawthorne's *Blithedale Romance.*

THE NATIONAL DEMOCRACY, 1829–1844

Significance of Jackson's election.

271. Significance of Jackson's Election. — The election of Andrew Jackson to the chief magistracy marked the

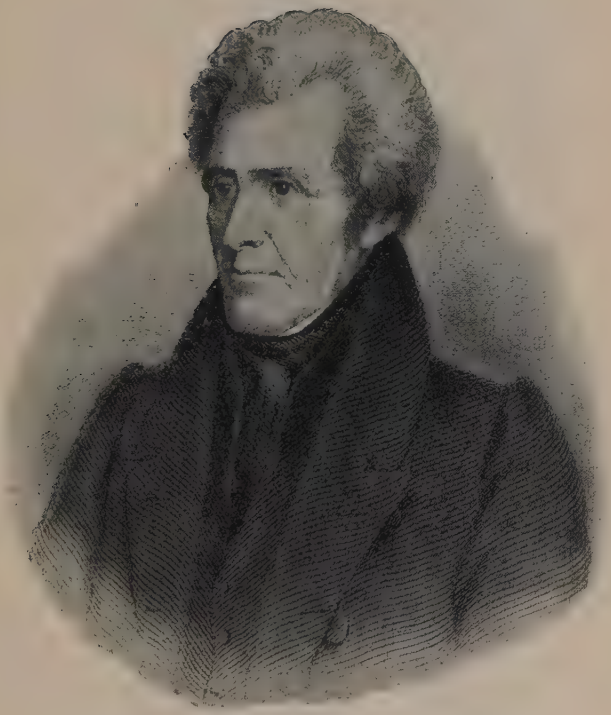
close of the second great epoch in the history of the United States. He was in some respects a typical man of the people. Born in the Carolina backwoods, he passed his boyhood amid the alarms and hostile encounters of the Revolutionary War. He then made his way over the mountains to the newer Carolina, which rapidly developed and was admitted to the Union as the state of Tennessee in 1796. Picking up a few scraps of legal knowledge, he became a lawyer; but it was as a military man that he made his mark. Without fear, with boundless energy, and with a faith in his own judgment and good intentions scarcely ever surpassed, Jackson proved himself to be a born leader of men in time of stress. In the Indian wars of that period, and in the War of 1812, he led his men to victory. In every way Jackson was a fitting representative of frontier life, which now for the first time took a leading position in national affairs in combination with Eastern political leaders who saw no other way to the possession of power.

Andrew Jackson. Schouler's *United States*, IV, 112, 265.

Popular sovereignty.

272. Theory of Popular Sovereignty. — The Jacksonian theory of political existence, like the Jeffersonian doctrine, rested on the rights of the individual, but there the resemblance ceased. Jefferson had aimed at the formation of local democracies, the state being the unit of political action; Jackson and those behind him believed in the existence and in the building up of a national democracy. He was the administrator of a group of strong political leaders, — Benton of Missouri, Van Buren of New York, Taney of Maryland, and Edward Livingston of Louisiana, but of the New York Livingston stock. They believed with Jackson, or, more likely, Jackson believed with them, that the Constitution should be strictly construed, at least as far as all ordinary functions of the government were concerned. "The reign of Andrew Jackson," as the eight years of his presidency has been picturesquely termed, was a period of strictly constitutional despotism. Internal improvements were put ruthlessly to one side, the United States Bank was ruined, and protection was lessened as much as could possi-

Jackson's policy.



Andrew Jackson

After a painting by Longacre

bly be done without losing the support of the West and North. Furthermore, Jackson and his friends believed that the people of the United States should govern. Acting on this idea, they maintained that in electing Adams in 1825, the House of Representatives had refused to give the presidency to the man who was "entitled" to it by the voices of a majority of the voters. But the "sovereignty of the people," which was called in on that occasion and on all occasions of strain, as in the contest with the bank, was not in the Constitution. That instrument, on the contrary, had provided the means for thwarting the will of the people by the interposition of the electoral college in presidential elections and by the check exercised by the Senate in legislative business. It was, however, a most important day for the United States and for the American people when the forces of democracy adopted the idea of the sovereignty of the people of the United States. This new idea was to bear immediate fruit in Jackson's own time, in a manner that many of those who had voted for him scarcely dreamed of at the moment of his election. It will be well to examine the condition of the country at such an epoch-marking period.

Numbers, 1830.

273. Population and Area in 1830. — The population of the United States was now slightly under thirteen millions, in comparison with five and one half millions in 1800. Of this increase of over seven and one quarter millions, not more than four hundred and fifty thousand were immigrants. It was in the first thirty years of the century that the institutions of the country became solidified on a democratic basis, and this work was accomplished by the original population of the country and their children. English institutions remained the dominant institutions, and the English language remained the dominant language.

Area, 1830.

The area of the United States had more than doubled in the same time; in 1830 it was over two million square miles, in comparison with less than eight hundred and fifty thousand square miles in 1800. Meantime the settled area

Backwoodsman, 1829

had increased in about the same proportion: in 1830 it was six hundred and thirty thousand square miles, as against three hundred and five thousand square miles in 1800. This great increase in the area of settlement had been due,

for the most part, to colonization of lands west of the Alleghanies. Of the eight states admitted to the Union since 1800, only one (Maine) was situated on the Atlantic slope; the others (Ohio, 1803; Louisiana, 1812; Indiana, 1816; Mississippi, 1817; Illinois, 1818; Alabama, 1819; Missouri, 1821) were all west of the Alleghanies. This rapid growth of the West had been partly offset by a large increase in the population of the seaboard states, but the center of population had moved westward one hundred and twenty-five miles, to the western boundary of Maryland; in 1800 it had been only eighteen miles west of Baltimore.

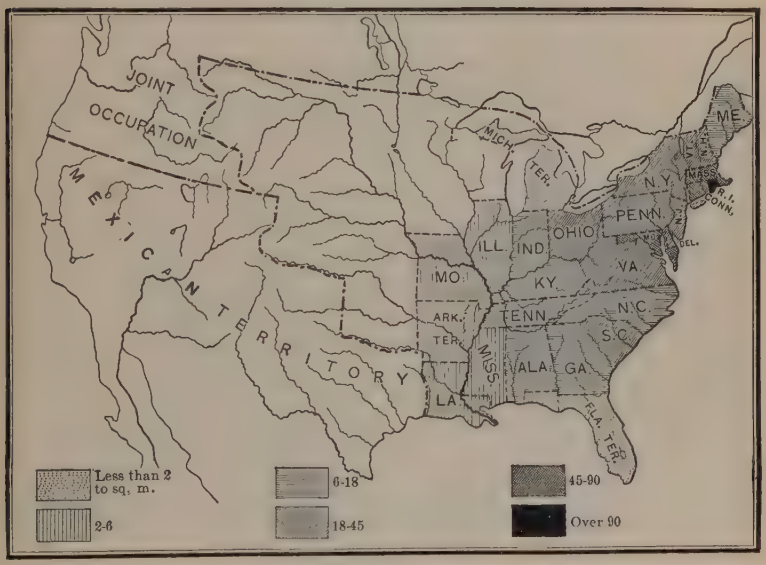
Growth of the West.

The cities.

The nation as a whole was still a rural people, as only about seven per cent of the population was collected into cities and towns of over eight thousand inhabitants (for 1800, see p. 299). Nevertheless, owing to the growing importance of manufacturing and commercial pursuits in the northeastern states, the tendency toward town life had become fairly apparent, so far as that section was concerned. The population of New York City had more than trebled, rising from sixty thousand, in 1800, to two hundred thousand in 1830; of this increase, no less than eighty thousand had taken place in the last decade, 1820–30. Other large cities were Philadelphia, with one hundred and sixty-seven thousand inhabitants against seventy thousand in 1800; Baltimore, with eighty thousand, and Boston, with sixty-one thousand, in comparison with twenty-six and twenty-four thousand respectively in 1800. New Orleans, with forty-six thousand, was the only city of considerable size south of the Potomac and Ohio rivers, as Charleston, Savannah, Richmond, and Norfolk had not grown in proportion to the total populations of the states in which they were situated. On the other hand, Cincinnati, on the northern bank of the Ohio River, was already a thriving town of twenty-four thousand inhabitants. It seemed not unlikely that the same distinctions between the free and the slave states, noticeable east of the Alleghanies, would soon find their counterpart west of those mountains.

274. Influence of Slavery. — The total population had more than doubled in thirty years, the slave population increasing in almost precisely the same proportion as the white population. The latter had numbered nearly four millions in 1800; in 1830 it was ten and one half millions; the slave population, in the same time, had increased from nine hundred thousand to over two millions, and there

Increase of slaves.



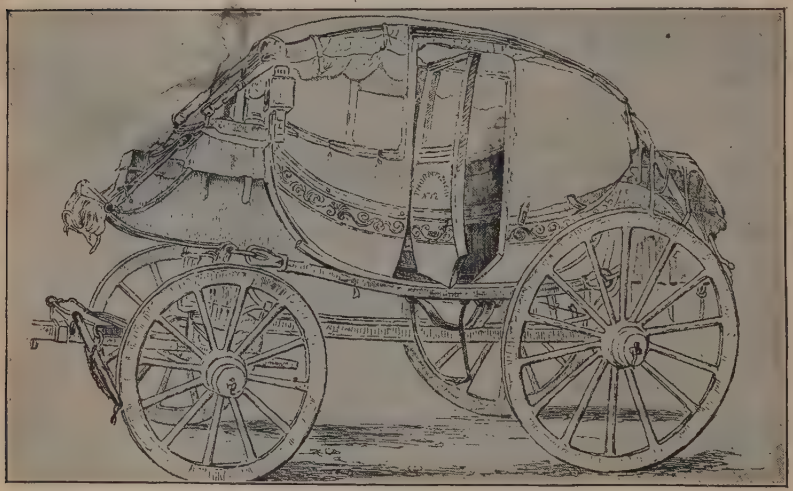
Density of population, 1830

were about three hundred thousand free negroes in 1830, mostly in the Northern states. In 1800 the free white inhabitants had been distributed between the North and South, in proportion of twenty-five to thirteen. In 1830 the proportion was about the same; but the South had maintained its place only through the acquisition of Louisiana and Florida and the rapid settlement of the states bordering on the Gulf of Mexico. The influence of slavery in limiting population becomes at once apparent by a study

Distribution of slave and free population.

Influence of slavery.

of the figures relating to the thirteen original states. In 1800 the free whites living east of the Alleghanies and north of Maryland had outnumbered those in the Southern states, excluding the people of Kentucky and Tennessee, two to one; in 1830 they outnumbered them five to one. The introduction of improved methods of transport, and the further encouragement of Northern manufactures, would still further build up the manufacturing and commercial towns in the northeastern states. Unless something were



Stagecoach, 1829

done to check this growth, the time was not far distant when the free population of the North would outnumber that of the South five to one. Discerning Southern leaders were already anxious over the outlook. In this fact is to be found the reason for their hostility to the continuance of the protective system, which they had helped to introduce.

Improvements in transportation, 1800–30.

275. Improvements in Transportation. — It is difficult nowadays to understand the conditions of transport which prevailed before the development of the present railway system. To those living at the time of Jackson's inaugura-

tion, the improvements already made for the conveyance of passengers between the centers of commerce and government seemed wonderful. In 1800 the stage drawn by horses had taken three days to convey a passenger from Boston to New York. The introduction of the steamboat at all possible points had reduced the time occupied by the journey, now performed partly by stage and partly by steamboat, by one half, — to about thirty-six hours. Boston was then about as far from New York as St. Louis is to-day.

Fulton's steamboat, 1807.

Fulton made his celebrated voyage up the Hudson in the *Clermont* in 1807. The steamboat was immediately in great demand, but it was not until Fulton's monopoly was declared unconstitutional that the building and operating of steam vessels became free to all. Before the outbreak of the War of 1812 steamboats were placed on the Western rivers, at once changing the whole problem of emigration and settlement. In 1818 the first steamer appeared on Lake Erie; in 1830 a daily line was running from Buffalo to Detroit. New types of steamers, especially designed for lake and river navigation, were rapidly built, and their use became well-nigh universal. With the improvement in steam navigation, the opportunity for its successful prosecution was greatly enlarged by the opening of canals.

The Erie Canal. Schouler's *United States*, III, 346.

The most important and successful of these was the Erie canal, connecting Lake Erie with the Hudson. It will be remembered that the Hudson and Mohawk rivers form a natural break in the Appalachian system (p. 11), and this break continues westwardly from the head of the Mohawk to the Great Lakes. From the southern end of the Appalachian system in Georgia and Alabama, to its eastern and northern end in New England, this is the only opening of low altitude leading westward, and it was entirely suited to the building of a canal. The man who saw this, and whose name should always be remembered in this connection as a benefactor of mankind, was De Witt Clinton. To his energy and ability the building of the canal was due. It was opened in 1825, and at once changed the conditions

of Western life and made New York the great commercial metropolis of the country. Within a year, the cost of conveying a ton of grain from Buffalo to Albany had fallen from one hundred dollars to fifteen dollars; the farmers of Ohio, Indiana, and Illinois had been brought within reach of the markets of the world. The success of the Erie canal gave rise to the building of canals in all directions, and induced Adams and Clay to recommend schemes of internal improvement which were distasteful to many of their supporters. The most remarkable of the later canals was the Chesapeake and Ohio, designed to connect tide water with the great interior waterways. These early canals were worked by horse power. Many of them were failures, but for a time they played an important part in the development of the country.

Railroads. Schouler's *United States*, IV. 121–131.

276. Railroads. — On July 4, 1828, three years after the completion of the Erie canal, Charles Carroll of Maryland, the last survivor of the signers of the Declaration of Independence, drove the first spike on the Baltimore and Ohio Railroad, the earliest line designed for the conveyance of both passengers and freight. By 1830 fifteen miles of it were completed. In the beginning, the cars or coaches were drawn by horses, but in 1829 one of Stephenson's locomotives was imported and served as a model until the first type of the American locomotive was evolved. By 1832 the Baltimore and Ohio had reached a point seventy-three miles from Baltimore, and had been equipped with locomotives capable of making fifteen miles an hour. In 1830 there were twenty-three miles of railroad in operation; building now proceeded rapidly, and by 1840 there were about twenty-three hundred miles in operation, or ready for traffic. Congress (1832) encouraged this work by providing that duties should be refunded on all rails laid down within three years of importation. At the outset, these roads were designed to connect towns already in existence, or the existing water routes; they were intended to replace the stagecoaches. Afterwards the railroads were

generally built first, giving the means of settlement to a new section of the country, and then transporting the produce of that region to the existing water communication. In this manner, the interior began to be settled away from the rivers. In the decade 1840–50, five thousand miles of railroad were built; but it was not until after 1850 that the pushing of the railroad into new sections was done with great vigor. Of the thirty lines at first projected, only three, and those short lines, were designed to be built south of the Potomac River.

277. Other Inventions. — During this period there was a great change in the iron industry, due partly to the demand for iron in railroad building and operating, and partly, perhaps, to the tariff; but more especially to the introduction of anthracite coal for the smelting of iron. The same coal was also used in the furnaces of locomotives. The effect of this adaptation of anthracite to the production of iron was to centralize the iron industry in Pennsylvania. Coal also came into use for heating dwellings, and, coupled with the introduction of illuminating gas for street and house lighting, completely changed urban life in the North. At the close of this period came the introduction of another great invention, — the electric telegraph. By 1845, therefore, American life, in the North at least, may be said to have thrown off the colonial guise, which it still wore at Jackson's inauguration, and to have taken on its modern form. Inventions.

278. Social Changes. — The growth of democratic ideas, of which the widening of the suffrage is one of the best tests, had now taken a firm hold on the people; only two Northern states preserved the old property franchise. With the coming in of new economic forces, wealth began to accumulate in fewer hands; corporations began to take the place of individuals; and speculators began to make and lose fortunes by holding Western lands, by manipulating railroad stocks, and by establishing moneyed institutions of one kind or another. Social changes.

Literary and scientific workers.

The change which had come over society was especially marked by the sudden outburst of an American literature. Of those who wrote before 1830, Bryant, Irving, and Cooper have made enduring reputations; they were still at work. Between 1830 and 1845, Emerson and Hawthorne, Longfellow and Lowell, Whittier and Holmes, Poe, Prescott, and George Bancroft began their labors; Jared Sparks laid the foundation for the study of American history; Kent, Story, and Wheaton began the publication of law books on scientific foundations; and Asa Gray, Benjamin Peirce, J. D. Dana, Joseph Henry, Silliman, and Louis Agassiz began their scientific investigations and teaching.

Education.

279. **Education and Religion.** — The colleges, also, awoke from their eighteenth-century lethargy; but the progress made in the art of teaching was slight, except that science claimed more attention than had formerly been the case. One hopeful sign was the increased resort to the colleges and the interest taken in the higher education by the people. The common-school system spread throughout the new West, and it was greatly stimulated by the wise liberality of the government in devoting one thirty-sixth part of the public lands to that purpose. Unhampered by the traditions which encircled educational institutions in the older settled regions, these Western schools became, many of them, model institutions of their kind.

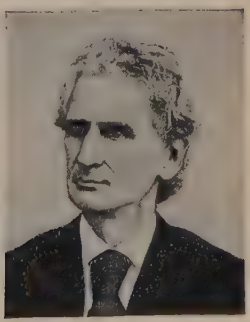
Secondary education also began to assume prominence. To the "grammar" schools, which had now almost disappeared, and the academies, never numerous, were added the high schools. Through these new institutions the urban communities provided by taxation fuller opportunities, especially in the modern subjects, and prolonged the period of public education from two to four years. Beginning in Boston (1821), high schools have spread first to the principal cities and then to all the larger towns, broadening their scope as they have increased in number. Their service in stimulating elementary education and in training, under democratic conditions, the young people from

B Silliman

Benjamin Peirce

Asa Gray

Joseph Henry
Secretary



James D. Dana

all social classes, is not easily overestimated. But little later in origin were the normal schools, in which teachers are trained for the common schools. These have more slowly but steadily multiplied. Not the least valuable part of their influence is seen in the somewhat recent establishment of courses in the art of teaching in the leading universities.

Religion.

In religion, there was a great upheaval. The old forms of thought everywhere gave way, and new sects began to rise. The greatest blow given to the old order of things was the disestablishment of the Congregational Church in New England, and the vigorous growth of Unitarianism on its ruin. The Unitarians were not formidable in point of number, but the liberalizing tendencies of which they were the exponent were soon to dominate American life in the North.

The South.

In all this march of progress, in all this great mental and material awakening, the South had no part; the census of 1840 showed a large growth in every Northern state; at least one Western state had doubled its population in ten years; the old South, on the other hand, seemed at a standstill. Georgia, alone, had made an important gain. As it was in material affairs, so it was in intellectual matters: not one of the writers, poets, essayists, historians, or men of science whose names have been given above lived and worked in the South. Moreover, in 1840, no less than sixty-three per cent of the illiterate white adults were to be found in that section of the country.

Party organization.

280. The Spoils System, 1829. — Jackson's administrations mark not only a great change in the material and mental development of the nation; they mark, also, a great change in political methods and modes of action. Up to this time there had been no national party machinery; in most states, there had been no local party machinery. In two states, however, Pennsylvania and New York, most highly developed party organizations had been built up by Van Buren, Marcy, and other politicians of the new type.

It is hardly necessary to describe in detail the means by which these politicians compassed their ends: they are familiar to all. In brief, it may be said that they organized the party workers on a semimilitary plan, paying the laborers for their labor by public offices — when the party was successful. These politicians saw "nothing wrong in the rule that to the victors belong the spoils of victory." They now introduced the spoils system of party organization into national politics.

The "spoils system."

Jackson, it was well known, regarded his fight for the presidency as a personal matter: those who helped him were his personal friends; those who opposed him were his personal enemies. It was generally expected that he would "reward his friends and punish his enemies." Removals at once began, and all who had not shouted loudly for Jackson were displaced. Then came the turn of those who had been long in office, for long tenure was in itself an evidence of "corruption." In nine months, more than a thousand officials had been removed, as against one hundred and sixty during all the preceding administrations. Appointments were made on similar principles; those who had "worked" for Jackson were presumably honest and efficient. The new President was anxious that only good men should be employed, but it was impossible for him personally to examine into the credentials of such hordes of applicants. In the end it appeared that many very unfit persons had been admitted to the public service.

Jackson and the civil service. Schouler's *United States*, III, 451–461.

In his management of public business, also, Jackson broke away from all precedents. He held few cabinet meetings, and made up his mind chiefly on the advice of a small group of personal friends, — men of ability, — who formed what was known at the time as the "kitchen cabinet."

281. Webster and Hayne, 1830. — A student skilled in the interpretation of historic facts might have predicted in 1828 that the moment was not far off when the South would again take up the weapon of "state interposition,"

Position of the South. Schouler's *United States*, III, 482.

which Jefferson had referred to in the original draft of the Kentucky Resolutions, and the New England Federalists had adopted during the troublous years 1807–15, and had finally set forth in the resolutions of the Hartford Convention (pp. 343, 345). It was the weapon of the minority: the Southerners were now rapidly falling behind in point of numbers, and they naturally occupied the position which the New Englanders, who were now strong in their alliance with the Westerners, had abandoned. As one

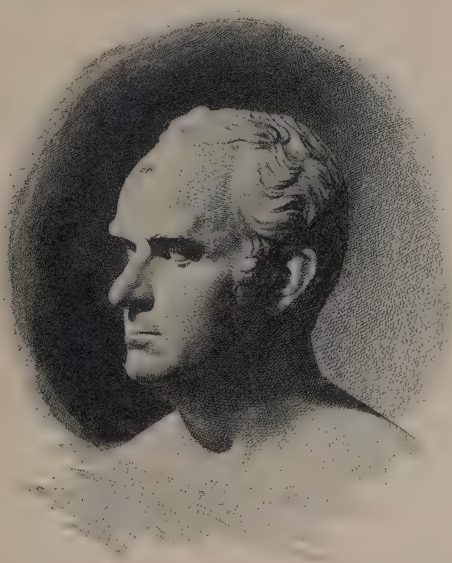
Webster's house at Marshfield, Massachusetts

means of strengthening their position the Southerners tried to separate the Western men from those of the East on the ground that the latter were hostile to the further development of the West.

The leaders in the debate were Robert Y. Hayne of South Carolina and Daniel Webster of Massachusetts. Drifting far away from the subject under discussion, Hayne set forth in luminous phrases the Calhoun theory of states' rights. In his splendid rejoinder, Webster stated the theory of national existence. This latter speech, full of burning enthusiasm,

richly deserves the foremost place it occupies among the masterpieces of American eloquence. Hayne rested his argument on the premises used by Jefferson and the men of New England: the Constitution was a compact, the states were sovereign when they formed it, and had retained their sovereignty, although creating another sovereign power. "In case of deliberate and settled differences of opinion

Webster and Hayne, 1830. Schouler's *United States*, III, 483–488; *American History Leaflets*, No. 30; Johnston's *Orations*, I, 233–302.



Daniel Webster
From photograph of Powers's bust

between the parties to the compact as to the extent of the powers of either," Hayne maintained that "resort must be had to their common superior, three fourths of the states speaking through a constitutional convention." This appeal could be made by any state, for "the federal government is bound to acquiesce in a solemn decision of a sovereign state, acting in its sovereign capacity, at least so far as to make an appeal to the people for an amendment to

the Constitution." Webster, on his part, contended that the Constitution was in no sense a compact, but an instrument whereby the "People of the United States" established a strong centralized government and endowed it with ample powers to enforce its rights; for a state to resist the enforcement of a national law was revolution if it succeeded, rebellion if it failed. The student will do well to study the more important portions of these speeches.

Careless use of language.

Webster and Hayne between them had stated the two ideas of the Constitution around which the history of the United States was to center for the next thirty years. Unfortunately, in all these controversies, there was a most persistent use of loose language on the part of the Southerners. For instance, in the speech just quoted, Hayne spoke of "sovereign states" as having a "common superior." Of course a sovereign state has no superior; if a state has a superior, it is not sovereign. The Southerners, however, continued to use precise terms in inaccurate senses, and thus deluded themselves with the belief that their states really were sovereign. Another example of the same misuse of language is to be found in the sentences above quoted, for Hayne appeared to regard the federal government as a party to "the compact" by which it had been brought into existence.

Comments on Webster's argument.

Henry Cabot Lodge, in his interesting life of Webster, maintains that Webster's argument was historically unsound; he asserts that in 1787–88 "there was not a man in the country . . . who regarded the new system as anything but an experiment entered upon by the states, and from which each and every state had the right peaceably to withdraw, a right which was very likely to be exercised." He asserts, furthermore, "that when the Virginia and Kentucky Resolutions appeared they were not opposed on constitutional grounds, but on those of expediency and of hostility to the revolution [of 1800] which they were considered to embody." With this statement Professor Woodrow Wilson

of Princeton University would appear to be in substantial accord, when he writes: "The ground which Webster took, in short, was new ground; that which Hayne occupied, old ground." Other writers, as Professor A. C. McLaughlin of Michigan University, maintain, on the contrary, that "since the adoption of the Constitution the American people have been legally a state, and that Calhoun and Jefferson Davis [and presumably the New England Federalists as well] were technically as well as morally wrong." Whatever may be the historical truth as between these disputants, there can be no question that Hayne and Calhoun stood for ideas which were soon to be repudiated by the majority of American citizens, and that Webster stated the theory of constitutional interpretation which was to be predominant in the future, and to come victorious out of the test of civil war.

Tariff of 1832. Rhodes's *United States*, I, 43–53.

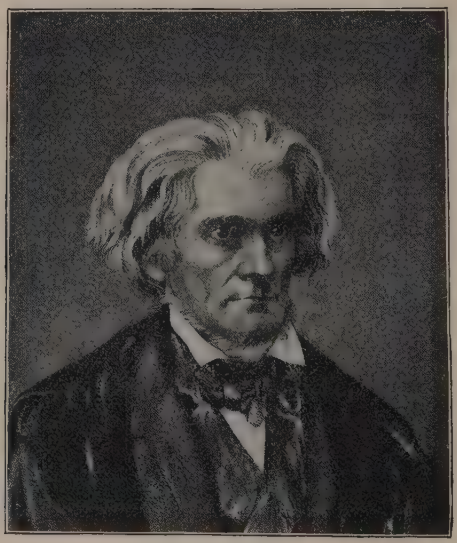
282. Nullification, 1832, 1833. — In 1832, Congress took up in earnest the subject of tariff revision; the rates were lowered but the protective system was reorganized on what promised to be a permanent basis. The South Carolinians determined to resist it, and to try the weapon of minorities, — "state interposition." The master spirit in this movement was Calhoun, and the upholder of the rights of the federal government was Andrew Jackson. Born in the same neighborhood, of the same Scotch-Irish stock, these two men had up to this time been friends. It now came to Jackson's ears that Calhoun, who had always expressed the highest regard for him, had actually proposed that Jackson should be censured for his bold action in the Seminole War (p. 353). To one of the President's temperament, no friend could have made such a suggestion. Calhoun was read out of the party and his friends turned out of the cabinet. Even before this time, Jackson had given plain intimation of the line of conduct he would take if South Carolina should attempt to assert her pretended right of "veto" of national laws. At a banquet on Jefferson's birthday, he had given the toast which dismayed his Southern hearers: "Our federal Union: it

Jackson and Calhoun. Schouler's *United States*, III, 498

must be preserved." He also had already informed one South Carolinian that "if a single drop of blood shall be shed there [South Carolina] in opposition to the laws of the United States, I will hang the first man I can lay my hand on, upon the first tree I can reach."

Jackson's re-election, 1832.

In November, 1832, Jackson was re-elected President by an overwhelming majority, receiving two hundred and nineteen votes out of a total of two hundred and eighty-eight.



John C. Calhoun

He regarded this triumphant re-election as an indorsement of his political views, and indicative of the wish of the "sovereign people" that he should use his power to put his political views into practice. In reality, the vote was due to his personal popularity, and to the lack of harmony in the ranks of his opponents.

Grievance of South Carolina.

It is difficult to understand precisely what the grievance of the South was on the subject of the tariff. Calhoun had been one of the most ardent advocates of the establishment

of the protective policy in 1816 (p. 348); it is hard to see how the South was being oppressed by its operation. Its exports were large: nearly three fourths of the total exports of the country came from that section. On the other hand, the increased prices to be paid for protected goods were paid equally at the North and at the South. The real fact at the bottom was that the South was falling behind in material development; that was due to slavery. The Southerners had a sense of grievance, though they hesitated to recognize in what their grievance consisted, or that they alone were responsible for it. The leaders of South Carolina determined to make their power felt: they held a state convention (November, 1832), declared the tariff acts of 1828 and 1832 null and void, and of no force. They forbade South Carolinians to pay duties levied under the detested tariff acts after February 1, 1833.

Nullification, 1832.

283. The Force Bill. — Jackson met the issue in a direct and soldierly fashion. In a proclamation (December 10, 1832) he declared that "The laws of the United States must be executed. I have no discretionary power on the subject, — my duty is emphatically pronounced in the Constitution. . . . Their [the nullifiers'] object is disunion, and disunion by armed force is treason." He also warned "the citizens of South Carolina . . . that the course they are urged to pursue is one of ruin and disgrace to the very state whose right they affect to support." He dispatched soldiers and naval vessels to Charleston, and directed the collector of that port to collect the duties, using force if need be. He also appealed to Congress to enlarge his powers to enable him to execute the law. Congress passed a bill — the Force Bill — giving him the powers he desired. It was evident that Jackson was in earnest. The South Carolina leaders, therefore, held an informal meeting, and suspended the operation of the nullification ordinance; whence they derived the authority thus to overrule the will of the "sovereign people of South Carolina" has never been stated.

Jackson's proclamation, 1832. Schouler's *United States*, IV, 89.

Compromise Tariff, 1833. Schouler's *United States*, IV, 102; Johnston's *Orations*, IV, 202–237.

284. The Compromise Tariff, 1833. — The matter, however, was not to come to open warfare. The other Southern states, although they sympathized with South Carolina on the subject of the tariff, and although many Southern men regarded secession as a right, did not agree with Calhoun as to the efficacy or rightfulness of nullification. They ranged themselves on the side of the administration, or, at least, did not aid South Carolina. Virginia, on some constitutional ground not easily discoverable, pretended to act in the guise of a "mediator." On the other hand, the administration itself, and many of its leading supporters, did not believe in protection, or, at all events, not in high protection. Clay seized this favorable opportunity to try to effect a compromise, and this he easily accomplished. The Compromise Tariff Act became law on March 3, 1833, one day after the Force Bill received Jackson's assent. It provided for a return to the low tariff of 1816 by a gradual reduction spread over ten years; one tenth of the excess of twenty per cent was to be removed each second year, until January, 1842, when one half of the remainder should be removed, the other half being removed in the following July. By 1843, therefore, the tariff would return again to the low duties of 1816; at the same time the protective principle, as a basis of national policy, would be saved. It was already known that South Carolina would accept this compromise. Accordingly, another state convention was held, the ordinance nullifying the tariff of 1832 was repealed, and another ordinance nullifying the Force Bill was passed.

The real cause of grievance, as has been already stated, was not the tariff: it was the effects of slavery in limiting the South to agricultural pursuits. Instead of recognizing the mischiefs inevitable to this condition of affairs, and energetically going to work to relieve itself of the burden of slavery, the South, under the lead of Calhoun, changed its ground of attack, and recognized that "the basis of Southern union must be shifted to the slave question."

285. The Antislavery Agitation, 1831–38. — The years of the nullification episode marked the beginning of an agitation against the further continuance of slavery which never ceased until slavery was done away with during the Civil War. In 1831 two occurrences brought the question before the people of the North and the South. The first of these was a slave insurrection in Virginia, the second was the establishment of the *Liberator* in Boston, by William Lloyd Garrison. The insurrection at Southampton, Virginia, was headed by Nat Turner, a negro slave, and resulted in the killing of sixty whites and of more than one hundred negroes before it was stamped out. To the Southerners, conscious of the perils always surrounding them, it appeared to be a dreadful affair. The Virginia legislature discussed the possibility of slave emancipation as a remedy, — the last time this subject was debated in any Southern legislature. The other Southern states made it the occasion for making sharper laws against the blacks, and one state, Georgia, by act of its legislature, promised a reward of five thousand dollars to any one who would kidnap Garrison and bring him into the state to be tried according to Georgia laws for inciting slaves to insurrection. As a matter of fact, there was no connection whatever between the publication of the *Liberator* and the Southampton insurrection. William Lloyd Garrison, a Boston printer, had worked at Baltimore with Benjamin Lundy on his paper, the *Genius of Universal Emancipation*. Garrison had been imprisoned in consequence of an article he had written. He had come face to face with slavery on its own soil, and, returning to Boston (1831), established the *Liberator*, written in the most outspoken hostility to slavery. Garrison demanded immediate abolition of slavery, without compensation to the owners. "Let Southern oppressors tremble," he said, ". . . On this subject I do not wish to write with moderation." At the moment, however, the overwhelming sentiment in the North was against the abolitionists. A few examples will serve to show this.

Early antislavery agitation. Johnston's *Orations*, II, 3.

Southampton insurrection, 1831.

Garrison and the *Liberator*. *Old South Leaflets*, III, No. 1; Schouler's *United States*, IV, 202–218.

Abolitionists opposed in the North, 1833–35.

286. Anti-abolition Sentiment in the North, 1833–37.— In 1833 a Connecticut schoolmistress, Prudence Crandall, admitted a colored girl to her school at Canterbury in that state; the result was the passage of a law by the Connecticut legislature, prohibiting the establishment of schools for negroes or their admission to schools already established, without the consent of the local authorities. The same year a college for the education of blacks was established at Canaan, New Hampshire; a mob razed the building to the ground, and not one person was punished for the outrage. Riots directed against the abolitionists also occurred in New York, New Jersey, and Connecticut. In 1835 Garrison was led about the streets of Boston with a rope around his body, and locked up in the jail by the authorities to protect him from worse violence.

Breach of the Missouri Compromise, 1836.

In 1836, also, the Missouri Compromise was broken by the addition to the northwestern portion of the slave state of Missouri of a strip of territory about as large as the state of Rhode Island, the land in question being part of that which, according to the Compromise of 1820, was to be forever free; but slight attention seems to have been paid to the matter in the North.

Slavery petitions presented to Congress, 1836. Schouler's *United States*, IV, 220–228.

287. Slavery Petitions in Congress, 1836. — In the spring of 1836, the opponents of slavery began again to petition Congress in favor of the blacks. The Southerners became alarmed, for they dreaded the effect of constant discussions of the moral and constitutional position of slavery. At their instance, the House of Representatives passed a "gag resolution," providing that "all petitions, memorials, resolutions, propositions, or papers relating in any way . . . to the subject of slavery . . . shall, without being printed or referred, be laid on the table and that no further action shall be had thereon." Under the Constitution, Congress could not refuse to receive petitions; could Congress, having received them, refuse to listen to them and to consider them? John Quincy Adams, now representative from Massachusetts, thought not. When his name was called, he said, in a loud

The "gag resolutions."

voice, refusing to be stopped: "I hold the resolution to be a direct violation of the Constitution of the United States, the rules of the House, and the rights of my constituents." In the Senate, Calhoun took very strong ground. He declared the petitions to be "a foul slander on nearly one half of the states of the Union." As to slavery, he said: "It has grown with our growth, and strengthened with our strength. It has entered into and modified all our institutions, civil and political. None other can be substituted. We will not, cannot permit it to be destroyed. . . . I ask neither sympathy nor compassion for the slaveholding states. We can take care of ourselves. It is not we, but the Union, which is in danger." Senator Buchanan of Pennsylvania warned Calhoun and the Southerners against the results of the course they advocated. "Let it be once understood," he said, "that the sacred right of petition and the cause of the abolitionists must rise or fall together, and the consequences may be fatal." The Southerners persisted, and the Senate also passed "gag resolutions."

Calhoun on slavery.

On the 6th of February, 1837, Adams presented a petition from twenty-two slaves and asked what should be done with it. The Southerners, irritated before, were now beside themselves with rage. They threatened him with the penitentiary, unmindful of the clause in the Constitution (Art. i, § 6) which provides that no member of Congress shall "be questioned in any other place" for "any speech or debate in either House." Upon being reminded of that provision, they endeavored to have him censured at the bar of the House; but Adams defended himself so manfully that the attempt was abandoned (February, 1837).

J. Q. Adams. Morse's *J. Q. Adams*, ch. iii.

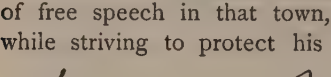
Meantime another dispute, also turning on slavery, had arisen. In 1835 the United States post office at Charleston, South Carolina, was broken into, and Northern papers brought in the mails were seized and burned. Postmasters in other places applied to the Postmaster-General, Amos A. Kendall, for guidance as to how to deal with antislavery publications destined for the South. The Postmaster-Gen-

Abolition papers in the mails, 1835–36.

eral avoided giving a direct answer, but Jackson suggested the passage of a law to prevent the sending of "incendiary publications" through the mails. Calhoun actually reported a bill to oblige Congress to prohibit the circulation of publications deemed by any state to be incendiary; but this failed of adoption (April, 1836).

Murder of Lovejoy. 1837. Schouler's *United States*, IV, 296–302.

288. Change of Sentiment in the North, 1837, 1838. — The first martyr to the cause of abolition was a young New Englander, Elijah P. Lovejoy, who had become editor of a paper, the *Observer*, published at St. Louis. Lovejoy was not an out-and-out abolitionist, like Garrison; he was an upholder of the freedom of the press. Soon St. Louis became dangerous for the outspoken man; he removed to Alton in Illinois, where he would be in a free state. But there was no toleration for abolitionists or the upholders of free speech in that town, and Lovejoy was murdered while striving to protect his printing presses from those who wished to destroy them (November, 1837). A meeting was held at Faneuil Hall, Boston, where Attorney-General Austin of Massachusetts defended the attitude of those opposed to the antislavery agitation in the North, and maintained that they stood where the Massachusetts men of Revolutionary time — whose portraits hung on the walls about him — had stood. This was more than one Boston man could bear; Wendell Phillips ascended the platform, and in burning language rebuked the "recreant American" who, in the interests of the slaveholders, had "slandered the dead." The limit of endurance had been reached; public opinion in New England began to change. In 1838 the Massachusetts House of Representatives gave its hall to an antislavery society for a meeting, and the Connecticut legislature repealed its black laws. Jackson's administration, therefore, marks the moment of that change in sentiment on the question which was to determine the course of the history of the United States for the next generation.



Johnston's *Orations*, II, 102–114.

Growth of antislavery sentiment in the North, 1838.

289. Foreign Relations, 1829–37. — Jackson was as fortunate in his foreign policy as Adams had been unfortunate in his. Van Buren, Secretary of State during his first term, supplied the qualities needed in successful diplomacy, which Jackson lacked; the President was an outspoken leader of men, the secretary a shrewd politician. Owing to the refusal of Congress to open the ports of the United States to British shipping, Great Britain had closed the West India ports to United States vessels. Canning died in 1829, and in the ministry which followed, Lord Aberdeen was foreign minister. He listened to Jackson's overtures; Congress removed many restrictions on British commerce, and Great Britain opened the West India ports to the commerce of the United States.

Relations with Great Britain. Schouler's *United States*, III, 502.

With France there was a long-standing dispute as to the payment for spoliations on American commerce committed since 1803. In 1830 the French government agreed to pay five million dollars as an indemnity to the United States, but the French legislature refused to make the necessary appropriations. At one time, it seemed as if war were about to break out between the two countries. In the end, France gave way and paid the money (1835). Jackson also secured the settlement of long-standing disputes with Denmark and Spain, and brought other nations, like Austria, to recognize the importance of having friendly relations with the United States.

Relations with France. Schouler's *United States*, III, 504, IV, 239.

290. Jackson's War on the Bank. — The Second United States Bank had been chartered in 1816, five years after the older institution associated with Hamilton had come to an end by limitation. In the case of McCulloch *vs.* Maryland (1819), the Supreme Court, through Chief Justice John Marshall, had decided that the charter of the Bank was legal and constitutional (p. 350), and this decision had been affirmed in 1824 in a subsequent decision. Jackson, nevertheless, felt a dread of the Bank, and he did not regard Marshall's decision as in any way binding on the Executive. The President disliked the Bank because he saw in it a

The Second United States Bank. *Schouler's *United States*, IV, 44.

Jackson's views as to the Bank.

great monopoly stretching its arms over the whole country, able to determine by its action whether one section or another should be developed to its utmost. Furthermore, Jackson thought that the Bank of the United States was a political machine, carried on in the interests of his enemies. There is no doubt that it had been badly conducted during the first years after 1816, but for many years before 1829 it had been admirably managed by its president, Nicholas Biddle. The capital of the country was mainly in the hands of those who had slight confidence in Jackson, and the customers of the Bank were undoubtedly composed to a great extent of his opponents. Finally, Jackson, and those behind him, with their strict constructionist views, could hardly help reverting to the interpretation of Jefferson (p. 272), and regarding the bank charter as beyond the power granted to Congress in the Constitution. Jackson at once declared his open hostility to the Bank, and Henry Clay as eagerly championed the cause of the great institution. As time went on, Jackson became more and more convinced of the truth of his suspicions, that the Bank was a great political machine. This was especially made evident to him by the appointment of a strong opponent of his party as head of the branch at Portsmouth, New Hampshire. The Jacksonian leaders in that state protested. The Secretary of the Treasury wrote to President Biddle remonstrating against what he regarded as a political appointment and suggested that the officers of the Bank should be appointed without regard to political preferences. Mr. Biddle, in reply, denied the secretary's right to interfere, at the same time asserting that the Bank was conducted without regard to politics.

Clay champions the cause of the Bank, 1832.

In 1832, four years before the charter of the Bank would expire, and when Jackson's opponents, although in a majority in Congress, had not sufficient votes to pass a bill over Jackson's veto, Clay brought in a bill to recharter the Bank. Jackson promptly vetoed it, and the bill could not be passed over his veto. The matter, therefore, became one of the

leading issues in the campaign of 1832. It seems extraordinary that a man of Clay's political experience should have hazarded victory or defeat on such an unpopular issue. Jackson asserted with truth that the Bank was an "un-American monopoly." It was entirely unlike the national banks of to-day, as a national bank can now be organized by any set of men who can find enough money to deposit the necessary bonds with the government. The people sympathized most warmly with Jackson on this as on other issues.

Removal of the deposits, 1833. *Schouler's *United States*, IV, 132–170.

291. Removal of the Deposits, 1833. — One of the chief arguments in favor of the establishment of the Second Bank, as of the earlier one, was the facilities it gave for the collections and disbursements of the government. The revenues, as collected, were deposited in the Bank or its branches, and payments were made by drafts on the institution. This business was done by the Bank for nothing, as the balances kept by the government enabled it to make large sums of money by loans. Apart from constitutional and political grounds, and granting the solvency of the Bank, the arrangement was most advantageous to the government, which saved all the money afterwards used in the construction of vaults, the payment of custodians, and the charges of transportation; it was advantageous to the people, as the money paid to the government was not withdrawn from circulation and locked up, millions at a time, in the government vaults; and it was advantageous to the Bank, as it gave it a larger amount of business. The disadvantage was overbalancing; at any time the Bank might exercise an overwhelming power in politics, controlling elections by money and starving its financial opponents into subjection by the manipulation of exchanges and rates of interest. There is no doubt of the reality of these dangers, nor is there any doubt that the Bank had taken part in the campaign of 1832. The charter of the Bank authorized the Secretary of the Treasury to deposit the revenues of the government with other banks at his discretion, stating his

reasons for so doing to Congress; this clause had been inserted to enable the government to deposit funds in state banks at points where the United States Bank had no branch. Jackson determined to use it to secure the withdrawal of all the government funds from the Bank. It was some time, however, before he could find a secretary who would do his bidding. At last he found such a man in Roger B. Taney of Maryland. The so-called "removal of the deposits" extended over a period of six months, and was not so much a removal as a refusal to deposit more funds with the Bank to replace those drawn out in the ordinary course of business. The public funds were then deposited in certain specified state banks, popularly known as the "pet banks." The loss of so large a proportion of its deposits compelled the United States Bank to adopt severe measures to protect its credit and to meet the government drafts. It called in large sums of money which were on loan, and this action brought about a dangerous scarcity of money before affairs settled down on the new basis.

The Senate censures Jackson. Jackson's Protest. MacDonald's *Documents*, Nos. 64, 68.

The Senate was still in the hands of Jackson's enemies. Under the lead of Clay and Webster, it passed a vote censuring the President for what he had done. To this Jackson replied in a letter. He protested against the action of the Senate in censuring the President, which could only be done by impeachment. He declared that the chief magistrate was entitled to interpret the Constitution for himself, and that he was not bound by the decisions of the Supreme Court, as each department of the government was independent of the other two departments. Two years later Jackson's party obtained control of the Senate, and the vote of censure was crossed out of the Journal of that body.

Speculative mania, 1837.

292. Distribution of the "Surplus," 1837. — Historical students seem to be fairly well agreed that the check placed on the power of the United States Bank by the removal of the deposits was in itself a wise action, apart from the constitutional and political questions involved. The mode and

time chosen for the accomplishment of this purpose, however, were most unfortunate. The one institution which possessed the ability to set bounds to reckless inflation and speculation was deprived of a great part of its power to do good, and nothing was put in its place. The government, so far from putting a check on the speculative frenzy which had taken possession of the people, actually increased it. Then, at last, becoming alarmed, Jackson interfered in his masterful way and gave the signal for widespread financial disaster.

Surplus "deposited" with the states.

On the first day of January, 1835, the last installment of the national debt was paid; the government owed nothing and was collecting about thirty-five millions per year more than it could reasonably spend on objects which the strict constructionists of the Jacksonian school regarded as within the scope of the powers of the federal government under the Constitution. Moreover, the revenue could not be diminished, because it was collected in pursuance to the Compromise Tariff Act of 1833, which could not be disturbed without a breach of faith and without bringing on a political crisis that no one desired to see. At the present time, the government can hoard its surplus revenues in the vaults at Washington and the great financial centers; but the independent treasury system was not then invented. No one thought of depositing more money with the "pet banks," which already held eleven millions. They were mostly situated in the speculative regions of the South and West, where democratic banks were abundant; for, curiously enough, the administration that had objected to the Bank of the United States as a political institution — and it was not at the time the objection was made — saw nothing inconsistent in depositing the nation's money in banks which were political machines and little else. After various attempts to relieve the treasury, Calhoun came forward with a proposition to loan without interest the surplus funds to the states, in proportion to their representation in Congress. The money was said to be "deposited" to avoid the con-

stitutional objection that Congress had no power to raise money by general taxation to pay over to the states. Three quarterly payments were made; then the crash came, and the government found itself obliged to borrow money to pay current expenses.

Paper money.

293. The Specie Circular, 1836. — The distribution of the surplus was the last thing needed to induce the states, especially the newer ones, to plunge into all sorts of extravagant expenditures. Especially they loaned their credit to speculative ventures, and piled up vast debts without a thought of the future. This speculative fever was only a reflection of what was everywhere going on: land in the Eastern cities was rising in price by leaps and bounds; the public lands in the West were being acquired by speculators, the sales increasing from three million dollars in 1831 to twenty-five millions in 1836. The government, at that time, issued only gold and silver. The administration had endeavored to meet the legitimate demand for a larger circulating medium to carry on the business of the country by increasing its output of gold and silver coins, mostly the former, and by making certain arrangements with the deposit banks, confining their circulation to bills of twenty dollars and over, and providing that they should keep a specie reserve of one third of the amount of their circulation. These measures had slight effect; "wild-cat" banks increased enormously, and the flood of "rag-money" poured forth by them effectually destroyed whatever good the government measures might have done under ordinary circumstances.

Jackson's specie circular, 1836. Schouler's *United States*, IV, 257.

Jackson, against the advice of his cabinet, resolved to see to it that the government no longer received anything save gold and silver and notes of specie-paying banks in payment for the public lands, and issued a circular to this effect, — hence called the "specie circular." This order affected the banks in the newer states at once and disastrously. In the end it helped greatly to destroy credit everywhere. Loaning rates increased in some cases to as high as twenty-four per cent. Before the full results of his financial policy

were apparent, Jackson retired from office, and, confident that the "specie circular" would restore prosperity, handed over the government to his friend and successor, Martin Van Buren.

Martin Van Buren elected President, 1836.

294. The Independent Treasury Act, 1840. — Martin Van Buren was regarded by his contemporaries as a self-seeking office-monger, and was held responsible for many of the evil proceedings of "Jackson's reign." This was natural enough; for Van Buren, who was not popular with the people, secured the Jacksonian vote by pledging himself to carry on the Jacksonian policy. But he was no mere politician; indeed, during the critical years of his presidency he showed himself to be a man of principle, able to withstand popular clamor and to bear the strain of the unmerited distrust of his fellow-men. The reproach that has been cast upon him of being the author of the system of proscription of one's political opponents, which so unhappily mars Jackson's reputation, does not appear to be well founded. It is probable that Van Buren regarded that system as unjustifiable and did something to mitigate its severity.

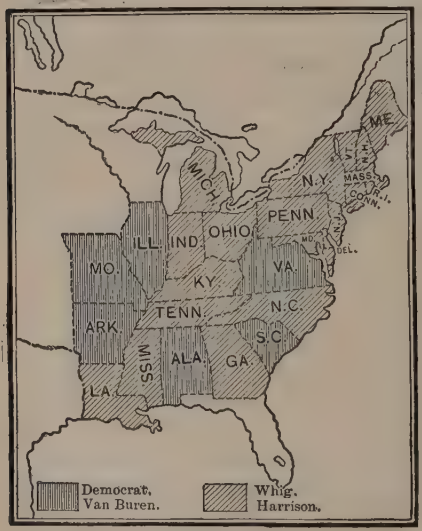
The independent treasury scheme, 1840. Schouler's *United States*, IV, 276–290, 324.

Jackson was scarcely out of office when the panic came. All the state banks suspended specie payment, and many of them failed, — among others, the "pet banks," with their nine millions of government money. Van Buren set himself to invent a plan which would separate the financial business of the government from the financial institutions of the country. This was the "independent treasury" scheme, or the "subtreasury" plan, as it is more often called. According to this device, which became law in 1840, the government built great vaults at Washington, New York, Boston, Charleston, and St. Louis. At these places, and at the mints in Philadelphia and New Orleans, government officials were to receive and pay out the government funds.

295. The Election of 1840. — During the preceding decade, the opponents of Jackson had become welded into a

Election of 1840. Schouler's *United States*, IV, 327–340; Stanwood's *Elections*, 123–137.

formidable party. The Jackson men, after calling themselves Democratic Republicans, had dropped the Republican, and now became known as Democrats; the Adams men, or National Republicans of the earlier day, had assumed the name of Whigs, probably to distinguish their reforming tendencies from the conservatism of the Democrats. The Whigs also employed their opponents' popular methods, and, indeed, outdid them in appeals to the passions of the multitude. The party machinery of the present time was already organized: nominating conventions, party platforms, torchlight processions, and the rest. The campaign of 1840 stands out in marked contrast to all preceding campaigns in appeals to the eye and to the senses. Van Buren was a candidate for re-election, and the Whigs nominated William Henry Harrison, who had been their candidate in 1836, and John Tyler of Virginia, a lifelong Democrat of the extreme Calhoun school. "Tippecanoe and Tyler too!" became the war cry of those opposed to Van Buren. The Whigs put forward no principles save "Down with Van Burenism." They pictured the Democratic candidate as "indifferent to the sufferings of the people," as sitting in a "stuffed chair" in the White House, and as eating out of gold spoons. On the other hand, they eagerly adopted the contemptuous assertion of a Democratic speaker, that Harrison would be



Election of 1840

satisfied if he were given a log cabin and a barrel of cider. Log cabins were erected everywhere; they were dragged around on wheels with men drinking cider before the doors. The campaign was one of "hurrah for Tippecanoe," the log-cabin, cider-drinking candidate. The Whigs won not merely the presidency, but with it a majority in both houses of Congress. A month after his inauguration, Harrison was dead. For the first time in the history of the country, a Vice-President became President owing to the death of his chief.

Death of Harrison. Schouler's *United States*, IV, 359–365.

296. Tyler's Administration, 1841–45. — The first session of the first Congress under the new administration was held in May, 1841. It at once became apparent that the triumphant Whigs could not carry out their policy, and President Tyler was confronted by a hostile majority in both houses of Congress. Tyler was a Whig only in the sense that he was opposed to Jacksonianism, in so far as it departed from the old Jeffersonian lines. In other respects, he was a strict constructionist and a firm states'-rights man. Clay, who was the real leader of the Whig party, at once brought forward a set of measures of reform, as they were conveniently regarded. The first of them, to repeal the Independent Treasury Act of 1840, passed easily enough. When it came to chartering a new national bank, however, it was found that Tyler was opposed to the measure on constitutional grounds. It was understood that he would consent to the establishment of a bank in the District of Columbia with branches in such of the states as were willing to have them within their limits. A bill passed both houses, with the provision for the District of Columbia, but without the provision for state assent; Tyler vetoed it, and the Whigs had not the necessary two-thirds vote to pass it over his veto. A bill was drawn up for the establishment of a "fiscal corporation" in the federal district, with branches, which should not exercise full banking privileges. This bill was elaborated after conferences with Tyler, and his assent to it was supposed to be assured; when it came to him for his signature, he

John Tyler, President, 1841.

Tyler and the Whigs. Schouler's *United States*, IV, 372.

vetoed it. Every member of the cabinet resigned, except Webster, who remained to conclude important negotiations with Great Britain.

Tariff of 1842. Schouler's *United States*, IV, 406.

More revenue was urgently needed, and the Compromise Tariff of 1833 (p. 398) having run its course was now capable of amendment. The Whigs, therefore, brought in a tariff bill considerably increasing the duties from the twenty per cent basis, which had just been reached; the bill, as first passed, also contained a provision for the distribution of surplus revenue among the states. This measure was one of those to which Tyler had objected in Jackson's time. He vetoed the bill, and it was not until it came before him without this clause that he signed it. The other measure provided for the payment to the states of the money received from the sales of public lands; this would have disguised the fact that the government was collecting more revenue under the new tariff than it could properly expend. The friends of a low tariff, however, secured an amendment whereby the distribution should take place only when the tariff on imports should fall below twenty per cent *ad valorem*. This clause rendered the bill inoperative, as the duties never fell to that point.

Northeastern boundary dispute. Schouler's *United States*, IV, 396–403.

297. The Ashburton Treaty, 1842. — Daniel Webster, whom Harrison had selected as Secretary of State, had opened negotiations with Lord Ashburton, British minister at Washington, for a settlement of the long-standing dispute with Great Britain, as to the northeastern boundary of the United States. The negotiators of the treaty of 1783 had plainly intended to give Canada the same southern boundary eastward that it had had according to the Proclamation of 1763 (p. 117). This line followed the forty-fifth parallel from the St. Lawrence to the Connecticut, and thence along "the highlands which divide the rivers that empty themselves into the River St. Lawrence from those which fall into the sea." These words were repeated in the treaty, except that "Atlantic Ocean" was substituted for "the sea," and the northeastern corner of the United States was

declared to be "formed by a line drawn from the source of St. Croix River to the Highlands." In maps printed in Great Britain immediately after the conclusion of peace, this line was merely copied from earlier maps showing the southern boundary of Quebec according to the Proclamation of 1763. But when the time came to run the line on the spot, the British government raised innumerable difficulties. First, there was a dispute about the identity of the St. Croix River; that was set at rest by the discovery of the ruins of De Monts's houses (p. 50). Then the British advanced the theory that the "Highlands" mentioned in the treaty were not those intended in the proclamation, but were much farther south. They based their argument on the substitution of the words "Atlantic Ocean" in place of "the sea," and contended that the St. John's River emptied into the Bay of Fundy and not into the Atlantic Ocean. The Highlands, according to this view, was a line drawn around the sources of the Penobscot and Kennebec, and not the water parting between the St. John's and the St. Lawrence. The dispute was referred to the king of the Netherlands as arbiter. Instead of deciding in favor of one of the contending governments, he proposed a compromise line, which he had no right to do (1829). Meantime, the United States had built a fort at Rouse's Point on Lake Champlain. This point was south of the forty-fifth parallel according to old surveys, but more accurate observations showed that it was really north of that parallel and therefore in Canada. The controversy was now settled by Webster and Ashburton, by the adoption of a compromise line on the northeast (the present northeastern boundary of Maine) and the cession of Rouse's Point to the United States. At the same time, the extradition of certain specified classes of criminals was agreed to, and a long series of negotiations for the suppression of the African slave trade was arranged by the conclusion of what was called the "cruising convention," which obliged each nation to keep a squadron of a certain strength always

Ashburton Treaty, 1842

cruising on the African coast. This arrangement produced less valuable results than its authors expected; but Webster followed his Whig colleagues into retirement, convinced that he had done something "for the peace of the world." Before long Calhoun succeeded him as Secretary of State.

SUGGESTIVE QUESTIONS AND TOPICS

§§ 273–279. The United States in 1830

a. Examine the maps on pp. 299 and 383, and tabulate the growth of the several states; arrange the free and the slave states in separate columns.

b. Bring to class digests of the lives of Robert Fulton and De Witt Clinton.

§§ 271, 272, 280. Andrew Jackson

a. Study the career of Andrew Jackson under the following heads: personal appearance, personal influence; preparation for public life; military career, strength and weakness of character; importance of his administrations; has his influence on politics been good or bad?

b. The constitutional theories of Jackson's party; state them at length; how much of them can you find in our political system to-day?

c. Rise of the Spoils System: study it in a larger book and say whether Jackson's course was the result or the cause of the Spoils System.

§§ 281–284. The Nullification Episode

a. Why was "state interposition" the "weapon of the minority"?

b. Define sovereignty. What is your idea of a state? of a nation?

c. Compare Jackson's action in 1832–33 with Buchanan's inaction in 1860–61.

d. Had the South a real grievance in 1832? What was it? Give precedents for nullification.

e. Was it fortunate or unfortunate that the dispute was compromised in 1833? Give reasons.

§§ 285–288. Antislavery Agitation

a. Slavery: has the history of any modern nation other than the United States been profoundly affected by slavery? What effect would slavery in a new country be likely to have upon free white immigration, and why?

b. Were the "gag resolutions" a direct violation of the Constitution? Give reasons. What was the case as to "incendiary publications"?

§§ 290–294. Financial Affairs, 1830–40

a. Supposing the "removal of deposits" to have been justifiable, was the mode in which it was done expedient? Does the federal government now deposit money with the national banks?

b. Discuss the minor constitutional questions involved: (1) Jackson's assumption of responsibility; (2) right of the Senate to censure the President; (3) right of the President to protest; (4) right of the Senate to expunge resolutions from its Journal.

c. The Independent Treasury system: describe it and trace its history to the present time; how are government payments made to-day?

d. State carefully the effects upon the crisis of 1837 of (1) development of machinery, (2) government deposits in state banks and the distribution of the surplus, (3) contraction of loans by the United States Bank, (4) Specie Circular.

§ 295. Election of 1840

a. Trace the formation of the Whig party. Was the Democratic party of 1840 any more the successor of the Republican party of 1801 than was the Whig party? Give your reasons.

b. If you had lived in 1840, what party would you have favored and why? What would have been the case in 1824?

§§ 296–297. Tyler's Administrations

a. Public lands: review history since 1780; describe Jefferson's and Gallatin's attitude towards; note as a party issue until the Civil War; what is the present policy as to public lands?

b. The tariff: review history since 1816; how long were the low rates of the compromise tariff of 1833 in actual operation? sketch briefly the history of the tariff in Great Britain, 1816–44.

c. Trace the history of the Northeastern Boundary Dispute from 1783, and describe the settlement made in 1842. Represent in colors this history upon a sketch map.

General Questions

a. Compare the leading men of this period with those of the period of the Federalist supremacy and with those of the Jeffersonian epoch.

b. Review your notes on "Slavery," "Financial history," "Particularism," and prepare for continuous recitation.

c. Represent upon a chart the origin and varying fortunes of the different parties which have appeared up to 1844.

d. Reports based on study of secondary authorities: assign to individual students the lives of the persons mentioned in § 279, also the lives of Garrison and of Phillips.

TOPICS FOR INVESTIGATION BY INDIVIDUAL STUDENTS

(See note under this head on p. 48.)

a. Summarize the arguments (1) of Hayne, (2) of Webster, (3) of Calhoun (393, first group, last two).

b. Compare arguments (1) of Hayne and Webster, (2) of Webster and Calhoun (393, first group, last two).

c. The Faneuil Hall meeting (402, second group).

d. Tabulate the electoral vote of 1840, and compare it with the electoral votes of 1824 and of 1844.

CANADA
UNORGANIZED
OREGON TERRITORY
UTAH TERRITORY
NEW MEXICO TERRITORY
CALIFORNIA
MINNESOTA TERRITORY
IOWA
WISCONSIN
MICHIGAN
ILLINOIS
INDIANA
OHIO
PENNSYLVANIA
NEW YORK
VIRGINIA
KENTUCKY
TENNESSEE
NORTH CAROLINA
SOUTH CAROLINA
GEORGIA
ALABAMA
MISSISSIPPI
LOUISIANA
ARKANSAS
MISSOURI
TEXAS
FLORIDA
MAINE
Lake Superior
Lake Michigan
L. Huron
L. Erie
L. Ontario
Missouri R.
Columbia R.
Colorado R.
Red R.
Rio Grande
Astoria
Sacramento
San Francisco
Salt Lake City
Santa Fe
Austin
Galveston
Kansas City
St. Louis
Davenport
Chicago
Milwaukee
St. Paul
Detroit
Buffalo
Erie
Cleveland
Indianapolis
Cincinnati
Louisville
Nashville
Knoxville
Wheeling
Pittsburg
Philadelphia
Baltimore
Washington
Richmond
Norfolk
Raleigh
Wilmington
Charleston
Savannah
Jacksonville
Atlanta
Mobile
New Orleans
Vicksburg
Natchez
Little Rock
Quebec
Montreal
Montpelier
Augusta
Portland
Concord
Boston
Providence
Oswego
Albany
Hartford
New Haven
New York
Trenton
Wilmington
Baltimore
Washington
Longitude West from Greenwich
SCALE OF MILES
0 100 200 300
PACIFIC OCEAN
ATLANTIC OCEAN
GULF OF MEXICO
MEXICO

CHAPTER XI

SLAVERY IN THE TERRITORIES, 1844–1859

Books for Consultation

General Readings. — Johnston's *American Politics*, 149–189; Wilson's *Division and Reunion*, 141–204.

Special Accounts. — Lodge's *Webster* (S. S.); Schurz's *Clay* (S. S.); Von Holst's *Calhoun* (S.S.); Dawes's *Sumner* (M. A.); Schouler's *United States;* *Rhodes's *United States*, especially vol. I, ch. iv (slavery); *Greeley's *American Conflict;* *Goodell's *Slavery;* Clarke's *Anti-Slavery Days;* *Draper's *Civil War;* *Taussig's *Tariff History;* Adams's *Dana;* Spring's *Kansas* (A. C.); Larned's *History for Ready Reference;* Wilson's *Presidents.* Larger biographies of the leading statesmen, *Guide*, § 25.

Sources. — *American History Leaflets;* Benton's *Abridgment* and *Thirty Years' View;* MacDonald's *Documents;* Williams's *Statesman's Manual;* Greeley's *Slavery Extension;* Johnston's *American Orations.* Writings of leading statesmen, *Guide*, §§ 32, 33.

Maps. — Mac Coun's *Historical Geography;* Hart's *Epoch Maps*, Nos. 7, 8, 11, 12.

Bibliography. — Channing and Hart, *Guide to American History*, §§ 56 a, 56 b (General Readings), §§ 189–202 (Topics and References).

Illustrative Material. — McCulloch's *Men and Measures;* Sargent's *Public Men;* Blaine's *Twenty Years;* Bruce's *Houston* (M. A.); Garrisons' *Garrison;* Ripley's *War with Mexico;* Grant's *Personal Memoirs;* Wise's *Seven Decades;* Pike's *First Blows of the Civil War;* May's *Recollections;* *Stephens's *War between the States;* Sanborn's *John Brown;* Pollard's *Lost Cause;* Frederick Douglass's *Life and Times;* Elson's *Side Lights on American History.*

Lowell's *Biglow Papers*, *Ode to Garrison*, and *Fugitive Slaves;* Longfellow's *Poems on Slavery;* Whittier's *Angels of Buena Vista* and *Anti-slavery Poems;* Tourgeé's *Hot Plowshares;* Eliot's *Story of Archer Alexander;* Bret Harte's *Tales of the Argonauts*, and other stories of California life.

SLAVERY IN THE TERRITORIES, 1844–1859

Influence of slavery on population.

298. **Necessity for More Slave Territory.** — In the great material expansion which had marked the period since the

close of the War of 1812,— more especially the years succeeding Jackson's election,— the South had enjoyed a share. Slaveholding states on the Gulf of Mexico had been admitted to the Union, and three slaveholding states had been formed out of territory comprised in the Louisiana Purchase. The older Southern states had grown slowly, and had been outstripped by the older Northern states, while the free states of the Northwest had developed with startling rapidity. The census of 1840 plainly showed that the Southern states as a whole were falling behind in population and wealth when compared with the Northern states as a whole — for negro slavery was adapted only to agricultural employments.

Undue power of the South.

Up to this time, the Southern voters had enjoyed an undue, even a controlling power in the national councils, owing to the operation of the "federal ratio" (p. 238), which gave them representation in the lower branch of the federal Congress out of all proportion to their numbers. The North had developed so fast that there was no longer any hope of retaining control of the House of Representatives. The Southerners' only hope lay in the formation of new slave states, each of which, regardless of population, would send two senators to Washington. It might be possible, perhaps, to convert one or more of the free states to slavery; but no state which had once been free soil had ever returned to slavery. It was also possible to break the Missouri Compromise — as had already been done (p. 400) — and build up slave states in the unorganized national domain west of the Mississippi. The easiest way to accomplish their end, however, was to acquire new territory more suitable to slavery than that west and north of Missouri. Texas offered the best chance, and to its acquisition the Southern leaders bent all their energies.

Meantime, the never-ceasing efforts of the Northern abolitionists were beginning to bear fruit. Slowly but surely they were bringing the mass of the people in the North to regard slavery as morally wrong. The time was

not far distant when Northern public opinion would be fixed on one point: that slavery should not blacken more of the soil of the United States. The Southerners, on the other hand, were unanimous that "expansion was as necessary to the increased comfort of the slave, as to the prosperity of the master."

299. The Annexation of Texas, 1845. — Texas had practically been seized by emigrants from the Southern states. They had overturned its constitution as one of the states of the Mexican Republic; had adopted a new constitution, permitting slavery; and, under the leadership of Samuel Houston, had proclaimed their independence (1836). Mexico had failed to conquer the rebellious province, and Texas had been recognized as an independent state by the United States and by several European powers. The people of Texas desired to be admitted to the Union as a slave state, and the Southerners were desirous that this wish should be granted. It proved, however, to be a most difficult matter to manage. It would certainly arouse dangerous excitement in the North, and for this reason both Jackson and Van Buren would have nothing to do with it. Tyler, a slave owner of the Calhoun school, had no such scruples. With the profoundest secrecy, he and Calhoun, who was now Secretary of State, negotiated a treaty of annexation.

Independence of Texas, 1836. Schouler's *United States*, IV, 247–257, 302–307.

Samuel Houston

Southerners desire annexation of Texas.

This was laid before the Senate for ratification. That body refused to assent to it (1844), and the controversy became the leading issue in the presidential campaign of that year.

Election of 1844. Stanwood's *Elections*, 140–160.

The Democrats nominated James K. Polk of Tennessee. In their platform, they declared for the annexation or re-annexation of Texas and for the reoccupation of Oregon. The latter territory was too far north for the economical development of slavery, and its addition was coupled with that of Texas to make the acquisition of this vast slave territory more palatable to the people of the North. The Whigs nominated Clay, and the abolitionists, who were now gathered into a party of their own, — the Liberty party, — also nominated a candidate, and thereby insured the election of the Democratic nominee. In point of fact, it was difficult for an opponent of slavery to choose between the two leading candidates. Clay did not seem to know his own mind on the subject; he said one thing one day, another thing another day. Polk, on the contrary, declared for annexation, and was elected. His election decided the matter; Congress at once passed a joint resolution admitting Texas to the Union as a slave state, which Tyler signed as one of his last acts as President. Texas gave its formal assent on July 4, 1845, and became a state of the American Union. According to the Texans' view of their boundaries, the new state extended northward to the forty-

Election of 1844

Annexation of Texas, 1845.

second parallel; the resolution admitting Texas provided, therefore, that slavery should not exist in the new acquisition north of the line of the Missouri Compromise (36° 30′). The value of this concession was disputed by the Northerners, Greeley asserting that Texas did not approach within two hundred miles of the compromise line. The limits of Texas on the south and west were also doubtful.

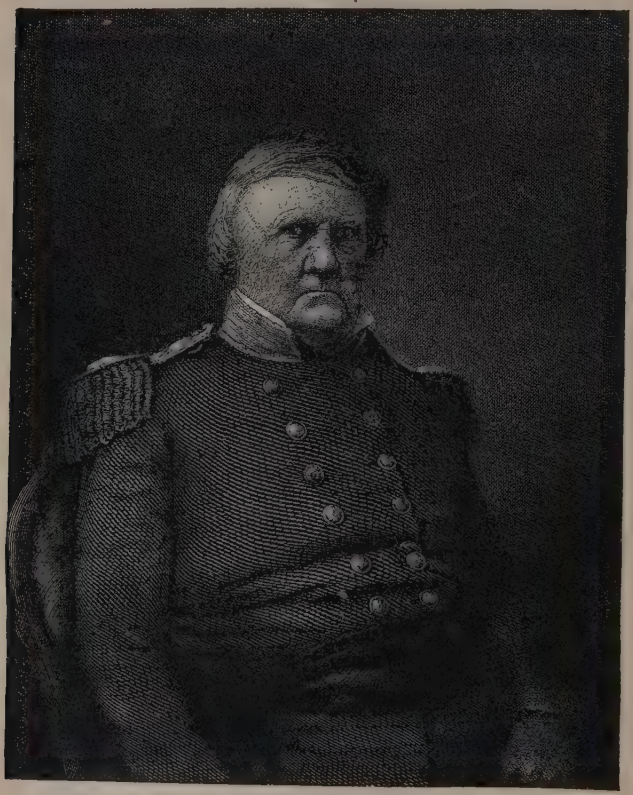
Schouler's *United States*, IV, 440–451, 470, 486.

300. Mexican War, 1846–48. — The United States and Texas contended that the new state extended as far southward and westward as the Rio Grande. This river had been the limit of Texas in 1800, when Spain ceded it back to France, and also when the United States acquired it from France as a part of Louisiana in 1803 (p. 318). As one of the states of the Mexican Republic, however, Texas had extended only as far south as the Nueces River. Polk decided to insist on the former interpretation. He ordered General Zachary Taylor, who had been sent to Texas with about four thousand men, to cross the Nueces River, and later ordered him to advance to the Rio Grande. The Mexicans, regarding this forward movement as an invasion of their rights, attacked and defeated a small detachment of Taylor's army. When the report of the conflict reached Washington (May, 1846), the President informed Congress that "Mexico has shed American blood upon American soil. War exists, and exists by the act of Mexico herself." Congress accepted the issue thus raised, and war followed. The Mexican War was in reality an attack on a weak nation by a strong one. It happened, however, that the United States armies in the field were always largely outnumbered. The American soldiers won renown by the splendid fighting qualities they displayed, and the chief commanders gained great military reputations. The victories of Palo Alto, Resaca de la Palma, and Buena Vista are associated with Taylor's name; those of Cerro Gordo, Contreras, Churubusco, Molino del Rey, and Chapultepec with that of the commander in chief, Winfield Scott. Many of those who after-

Boundaries of Texas. Schouler's *United States*, IV, 518.

War with Mexico, 1846–48. Schouler's *United States*, IV, 525–549, V, 1–61.

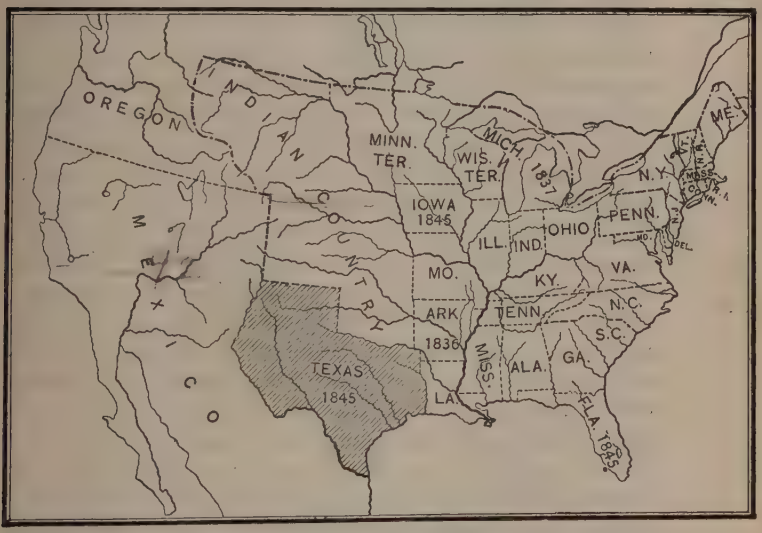
wards played an important part in the Civil War received their training in this conflict; Grant, Thomas, Lee, Jackson, and others served with credit in various capaci-



Winfield Scott
After a daguerreotype by Gurney

ties. While these campaigns were in progress in Mexico (1846, 1847), other expeditions seized California and New Mexico. On February 2, 1848, a treaty was signed at Guadalupe Hidalgo, which, with unimportant amendments, was ratified by both parties. This agreement pro-

vided that the United States should pay fifteen million dollars direct to Mexico, and some three millions more to American citizens who held claims against Mexico. That republic, on its part, relinquished to the United States all territory north of the Rio Grande and the Gila rivers; the cession comprised Texas, in the widest sense of the word, New Mexico, California, Nevada, Utah, Arizona, and parts



The United States, 1845

of Colorado and Wyoming. During Polk's administration, also, the boundary of the United States on the northwest was established substantially as it is to-day.

301. The Oregon Treaty, 1846. — That portion of America lying west of the water parting of the Mississippi and the Pacific coast systems and north of the forty-second parallel was called Oregon. Its northern limit had been defined in 1824 and 1825, by treaties between Russia on the one part, and the United States and Great Britain on the other, as the parallel of 54° 40′ north latitude (p. 359). The owner-

Oregon question, 1818–46. Schouler's *United States*, IV, 504–513.

ship of this vast region had remained disputed between the United States and Great Britain; since 1818, it had been occupied jointly by the citizens and subjects of the two powers. The British occupation had taken the form of fur trading; that of the United States was actual settlement in the fertile valleys accessible through the passes of the Cordilleras. The title of the United States was extremely vague. It was composed of many elements: (1) the discovery of the Columbia River by Captain Gray in the Boston ship *Columbia;* (2) the assignment under the Florida treaty of whatever rights the Spaniards might have gained by discovery and exploration; (3) the exploration of Lewis and Clark; and (4) actual settlement. Many other points were advanced, but these were the principal ones. It was not argued that any one of them gave a good title; but it was argued that, taken all together, they constituted a better title than that of any other nation. To this the British negotiators opposed similar shadowy arguments; for instance, they maintained (1) that Drake had sailed along the coast before any Spaniard; (2) that the Spanish rights amounted to little in view of an agreement as to this coast in 1790, known as the Nootka treaty; (3) that an English navigator had made a more thorough exploration than Gray had undertaken, although it had, in fact, been made later, and had been based on information furnished by the American; and (4) that the British fur-trading companies had practically occupied this region. These claims were so vague that compromise was inevitable. In 1844, however, the politicians took the matter up as a means of propitiating the North as to Texas: the cries of "All Oregon or none," "Fifty-four forty, or fight," were raised. For a moment it seemed as if the United States would go to war with Great Britain and Mexico at the same time, but more peaceful counsels prevailed. For some years the United States had been willing to continue the forty-ninth parallel — the boundary between the Lake of the Woods and the Rockies — westward to the Pacific

Title of the United States.

Title of Great Britain.

Ocean. This line would have given the southern end of Vancouver Island to the United States, and with it the control of the Strait of San Juan de Fuca, affording the best route from the Pacific to the great bays and sounds between Vancouver Island and the continent; but Great Britain would not consent. It was now agreed (1846) that the boundary between the two powers should be the forty-ninth parallel, as far as Vancouver Sound, and should thence follow the middle of the channel to the ocean.

Oregon treaty, 1846, map p. 435.

302. The Walker Tariff, 1846. — The triumphant election of Polk, and the consequent return of the Democrats to power, was naturally signalized by a reversal of the financial policy of the Whigs, and a return to that of the preceding decade. This change was brought about by the re-enactment of the Independent Treasury Act, and by the passage of a new tariff law. The former was substantially a repetition of the act of 1840 (p. 409): subtreasuries were to be re-established at the more important commercial centers, and provision was made for the safe and economical handling of the public moneys. The system has been modified from time to time to suit the growing needs of the country, but its essential features are still law.

Tariff of 1846. Schouler's *United States*, IV, 514–517; Taussig's *State Papers*, 214–251.

The new tariff act was based upon the recommendations of Robert J. Walker, Polk's Secretary of the Treasury, and is always called the Walker Tariff. Under it, imported articles were arranged in several schedules, — A, B, C, and D, and so on to I, which included articles specifically placed on the "free list." Each schedule had its own rate of duty: schedule A, 100%; B, 40%; C, 30%; D, 25%, etc. Articles not included in these schedules were to pay 40% *ad valorem*. All the duties were calculated on a valuation made in foreign ports, instead of so much on the valuation of the commodity in America. This arrangement resulted in gross frauds, and inflicted great hardships on honest importers. The system was, as Webster declared, "not free trade, but fraudulent trade."

The country was very prosperous during the years that the

Prosperity, 1846–57.

Walker Tariff was in operation. Many writers friendly to free trade have maintained that this prosperity was due to the operation of the Walker Tariff, which, in their opinion, was practically a free-trade measure. Other students point out that it is absurd to regard it as a free-trade measure, since the reduction on the rates of 1842 was only about one sixth. They argue, moreover, that there is no historical evidence to show that this comparatively slight reduction had any considerable influence upon the commercial and industrial development of the country. They contend that the remarkable prosperity of the country between 1846 and 1857 was due to its rapid settlement, which was made possible by many things over which tariff legislation had little or no influence. For instance, there was a great increase in foreign immigration in these years (p. 457) and the railroad system of the country was greatly extended. Inventions, also, marvelously increased the efficiency of human labor and superintendence. For example, the successful introduction of the electric telegraph, owing to Morse's invention (1837), made it possible to operate great railway systems; and farming on a large scale was immeasurably promoted by the introduction of agricultural machinery, as the McCormick reaper (invented 1831). The most important manufacture of the United

C. H. McCormick

Influence of inventions.

McCormick reaper.

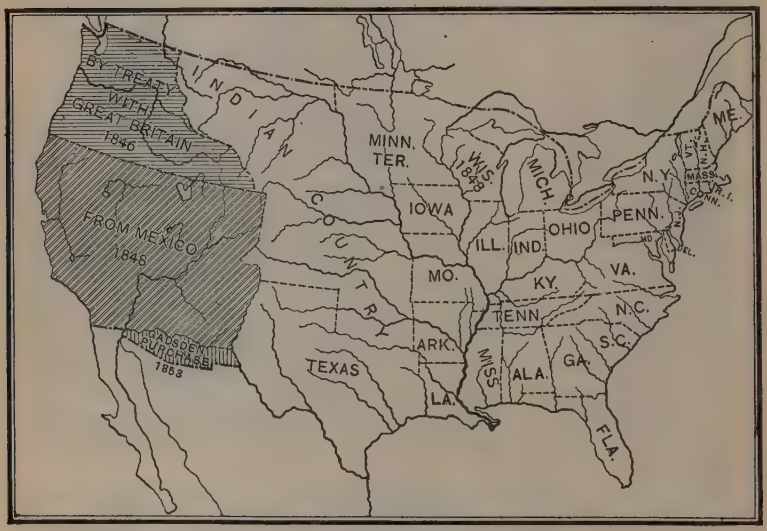
States until recent times was the manufacture of farms, and this was more dependent on the development of railroad transportation and farm machinery than on the movement of tariff duties within the narrow limits affected by the Walker Tariff.

Sutter's mill

303. California, 1848–50. — On the 24th of January, 1848, — ten days before the Treaty of Guadalupe Hidalgo was signed, and fully three months before it was ratified, — James W. Marshall discovered several bits of gold in the earth taken from Colonel Sutter's mill race in Coloma, California. Further investigation confirmed the discovery, and before long the existence of gold in that region was known throughout the world. From all parts of the United States

Discovery of gold in California, 1848. Schouler's *United States*, V, 132.

and from Europe, gold hunters sought the new Eldorado. Over the plains and the Cordilleras, across the Isthmus of Panama, and around Cape Horn, they thronged to California. Most of them came from the northern American states, but there were many Southerners as well. Before November, 1849, more than eighty thousand immigrants — "the forty-niners," as they were termed — reached the land



The United States, 1853

of promise. Their number already exceeded that necessary for a territorial organization, and they had scarcely any government at all. Compelled by necessity to establish some form of government, and inspired by the suggestions made by an agent sent by General Taylor, the new President, they held a convention (November, 1849), drew up a state constitution, — excluding slavery, — and applied for admission to the Union as a free state. Soon Californian commissioners appeared at Washington, and demanded that California should be admitted as a free state. Congress was in

California demands admission as a free state, 1849. Schouler's *United States*, V, 142.

this way forced to come to some decision as to the disposal of the vast domain which had just been gained from Mexico; but the task was a hard one.

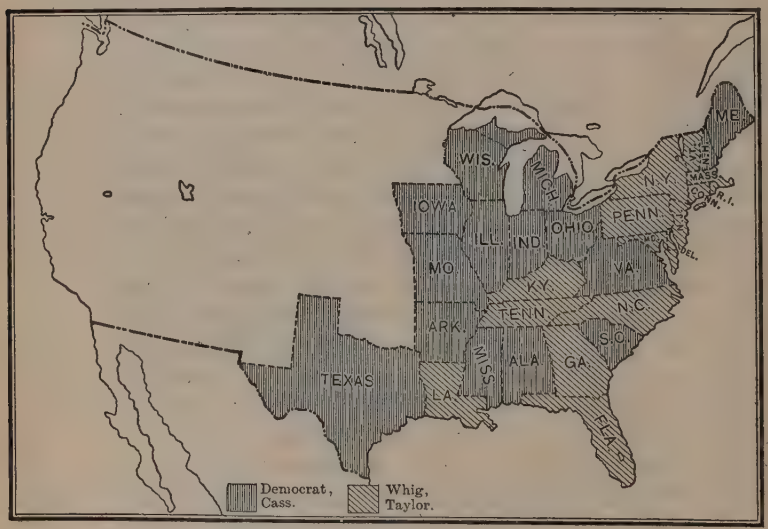
The Wilmot Proviso, 1846. Schouler's *United States*, V, 65–69.

304. The Wilmot Proviso, 1846. — Even before the Mexican War had fairly been begun, and before the United States had gained a foot of Mexican soil, an attempt had been made to settle this question in favor of freedom. The occasion was furnished by the introduction of a bill to provide money for the purchase of territory from Mexico. When it was before the House, David Wilmot, a Democratic representative from Pennsylvania, moved an amendment in the form of a proviso that slavery should be forbidden in any territory thus acquired. The bill, with the amendment, passed the House, but failed to become law, as the Senate did not act upon it until the House had adjourned for the session (August, 1846). In the new Congress, elected the following November, the Whigs were in a majority in the House, but the Democrats retained control of the Senate. Meantime, the leaders of the latter party in the South had made up their minds to oppose the Wilmot Proviso should it again be introduced. Accordingly, after considerable delay, an appropriation bill was passed, without the slavery prohibition. The Treaty of Guadalupe Hidalgo had added some eight hundred thousand square miles of territory to the national domain, most of it lying south of 36° 30′ north latitude, the parallel of the Missouri Compromise line. Should slavery be permitted in this vast region, or should the principle of the Wilmot Proviso be adhered to? The settlement of this question was regarded by Southerners as most important; it appeared scarcely less important to those Northerners who were determined that a limit should be set to the extension of slavery. This controversy dominated all others in the election of 1848.

305. The Election of 1848. — No fewer than five political organizations took part in this contest. First there were the Democrats, who nominated Lewis Cass of Michigan, a shrewd, clear-headed Northern Democrat. He had com-

Election of 1848. Schouler's *United States*, V, 100–110; Stanwood's *Elections*, 161–177.

mended himself to the Southerners by the advocacy of the doctrine of "squatter sovereignty," according to which the people of each territory were to determine the question of freedom or slavery for themselves. This idea was closely related to the Democratic doctrine of states' rights, and its adoption seemed likely to prevent a split in that party on the question of the extension of slavery. The Whigs nominated



Election of 1848

General Taylor of Louisiana for President, and Millard Fillmore of New York for Vice-President. They made no statement of their principles, and thus endeavored to shirk the question of the greatest interest in the campaign. By this time, the slavery controversy had gone far toward bringing about the destruction of political parties in the North. A section of New York Democrats, bearing the curious name of "Barn-burners," was opposed to slavery in the territories. Their delegates appeared at the Democratic convention as rivals to another group of delegates, who harbored no such

The Barn-burners.

scruples. The convention decided to admit both delegations, who should share the votes of New York between them; both delegations withdrew. The Barn-burners, with the assistance of delegates from a few other states, then held a convention of their own, and nominated Martin Van Buren. Another party, the "Free-soilers," which had a larger following, held a convention at Buffalo. Delegates from eighteen states appeared. They adopted a platform which declared for "free soil for a free people." They maintained that slavery was a state institution, and as such the general government had no right to meddle with it; but they denied the competence of Congress to permit slavery in the territories. They, too, nominated Van Buren. The Liberty party (p. 420) also held a convention, and nominated a candidate of its own, John P. Hale of New Hampshire; but he withdrew in favor of Van Buren. The election was very close, but the desertion of the New York Democrats caused the electoral vote of that state to be given to Taylor and Fillmore, and thus decided the contest in favor of the Whigs.

The Free-soilers.

William Lloyd Garrison

The Liberty party.

Election of Taylor.

306. Taylor's Policy, 1849, 1850. — The conflict over the Wilmot Proviso and the presidential campaign, in which one of the three candidates stood for the limitation of slave territory, had at last attracted the attention of the Northern people to the cause underlying the politics of the time: the

Slavery in politics.

existence of slavery in the South and of freedom in the North. The contest had not merely aroused interest and sentiment, it had called forth a dangerous spirit on both sides of Mason and Dixon's line. Southern extremists were determined to destroy the Union if the principle embodied in the Wilmot Proviso became a part of the law of the land; Northern extremists were desirous of destroying the Union if slavery were not abolished in the slave states, — no Wilmot Proviso would satisfy them. The Constitution was in the way, it was said. The abolitionists answered that the North should withdraw from the detestable bargain, and, paraphrasing the words of the Prophet Isaiah, declared that "the Constitution is a covenant with death, and an agreement with hell." Other Northern extremists were determined that the further extension of slavery should cease; as to slavery in the states, they contended that that was a state matter. Between these two bodies of extremists stood the mass of the people of both sections, who were desirous to put the whole matter aside, and proceed with the development of the country, leaving the future to take care of itself. Of Southern moderates were men like Clay and Benton, sincere lovers of their country and anxious to prevent sectional strife. The Northern moderates were also sincere lovers of their country. They thought as little about the slave question as possible, — if the Southerners wished to ruin the South by perpetuating the institution, that was the Southerners' business; they had no strong moral feelings against slavery, and probably disbelieved most of the facts which the abolitionists were ever dinning in their ears.

The abolitionists.

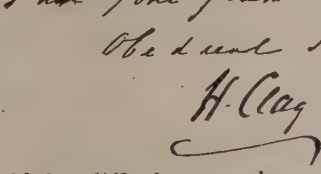
Taylor's policy. Schouler's *United States*, V, 142, 147, 159.

The new President, Zachary Taylor, was a Louisiana sugar planter, the owner of a hundred slaves, and the father-in-law of Jefferson Davis, one of the senators from Mississippi. Like most Southern men, he came to Washington with the preconceived idea that the Northerners were the aggressors; he soon discovered that, with the exception of the small body of Northern abolitionists, who exercised no political influence at Washington, the aggression was all on the side

of the South. Moreover, he speedily fell under the influence of William H. Seward of New York, one of the antislavery leaders in the Senate. Taylor determined to settle the matter in a direct soldierly fashion. He sent agents to California and New Mexico urging the settlers in those districts to form state constitutions, and seek admission to the Union. California at once complied. When Congress assembled in December, 1849, the President announced that California asked to be admitted as a free state. The Southerners were beside themselves — they felt that the richest country, and that portion best suited to slavery of all the vast region acquired from Mexico, had been filched from them. The matter was further complicated by the fact that Texas claimed a large part of New Mexico as rightfully belonging to her, and threatened to take possession by force if her claims were not allowed. Jealous of his successful rival, as some writers have asserted, or, as is more likely, fearful lest the passions already aroused would lead to conflict, Clay determined to effect a compromise.

307. Compromise of 1850. — Clay proposed to settle at one and the same time all the disputes which had grown out of the slavery contest. His scheme is always spoken of as a compromise, and so it was in the ordinary meaning of the word; but the South gained so much more than the North that its adoption was in reality a victory for the slave power. The only concession to the North was the prohibition of the slave trade within the District of Columbia. California was to be admitted as a free state. The Southerners regarded this as a great surrender to Northern sentiment; but it would be difficult to understand how the demand of California for admission as a free state could have been refused by them in view of the doctrine of "squat-

Clay's compromise propositions, 1850. Schouler's *United States*, V, 161–170, 195–199; MacDonald's *Documents*, Nos. 78–83.

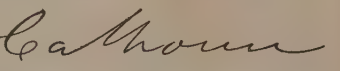


ter sovereignty" which they advocated. The gains to the South were (1) the confirmation of slavery in the District of Columbia; (2) the organization of Utah and New Mexico as territories without any mention of slavery — leaving that matter to be settled on the theory of squatter sovereignty, in accordance with the wishes of the settlers; (3) the payment of a large sum of money to the slave state of Texas to secure a relinquishment of her claim to a portion of New Mexico; (4) a resolution by Congress to the effect that that body had no power over the interstate slave trade; and (5) the passage of a stringent fugitive slave law. Clay realized that this so-called compromise was distinctly in favor of the South; but he argued that the dispute as to slavery was a matter of sentiment with the Northerners, of interest with the Southerners. Sentiment must yield to interest. Clay spoke and acted for conservative Southern slave owners. He thought that safety lay in a "union of hearts" to be brought about by mutual concessions — which meant Northern concessions. Probably he was sincere in his belief as to the efficacy of his compromise scheme to prevent disunion and secession.

Clay's views on the crisis. Rhodes's *United States*, I, 120; Johnston's *Orations*, II, 202–218.

Calhoun represented Southern extremists. He had no faith in a union of hearts, or any union, except one in which the South should forever enjoy equal power with the North, no matter what the relative population and resources of the two sections might be. "Squatter sovereignty" had no meaning to him, and he regarded the action of the Californians as a piece of gross impertinence; it was necessary for the North to concede "to the South an equal right in the acquired territory, and to do her duty by causing the stipulations relative to fugitive slaves to be faithfully fulfilled; to cease the agitation of the slavery question; and to provide for the insertion of a provision in the Constitution by an amendment which will restore to the South, in substance, the power she [once] possessed of pro-

Calhoun's demands. Rhodes's *United States*, I, 127; Johnston's *Orations*, II, 123–160.



tecting herself." He did not define a plan to bring about this political equilibrium between the two classes of states. After his death, it appeared that what he had in mind was the repeal of all laws which had established a national government, and the adoption of an amendment to the Constitution providing for the election of two presidents, one by the slave, the other by the free states, and each to approve of all acts of Congress before they became laws. Webster expressed the views of many Northern conservatives. He approved the compromise plan: slavery was already "excluded from the territories by the law of nature, of physical geography." Webster spoke on March 7, 1850, and his speech is always referred to as the "Seventh of March Speech." These opinions were those of the leaders who had governed the country since the War of 1812; they all died within three years. New men were coming to the front, among them William H. Seward, senator from New York. He denounced the proposed compromise as in the interests of slavery — "all measures which fortify slavery or extend it, tend to the consummation of violence, — all that check its extension and abate its strength, tend to its peaceful extirpation." Thrusting aside historical subtleties and constitutional distinctions, he declared that "there is a higher law than the Constitution," which he described as "the law of nature written on the hearts and consciences of freemen."

Webster's Seventh of March Speech. Rhodes's *United States*, I, 137; Johnston's *Orations*, II, 161–201.

Seward's assertion. Rhodes's *United States*, I, 162. Stedman and Hutchinson, VI, 40;

There was a majority in both houses for each of Clay's propositions taken by itself; but the voters for and against the several parts of the scheme were different. It resulted from this that the propositions in bulk failed to pass, and also when grouped together in three bills. Meantime, Taylor had been managing matters in his own straightforward fashion. Had he lived a few months longer, California would probably have been admitted without any compromise. Suddenly, on July 9, 1850, he died, and Fillmore, Seward's political rival in New York, became President. Webster became Secretary of State, and the compromise measures were passed, though not in their original form.

The Compromise of 1850.

As finally effected, the Compromise of 1850 provided for (1) the admission of California to the Union as a free state, (2) the prohibition of the slave trade in the District of Columbia, (3) the organization of Utah and New Mexico as territories with no restriction as to slavery, (4) the payment of ten million dollars to Texas in satisfaction of her claims to a portion of New Mexico, and (5) the passage of a severe fugitive slave law.

Southern policy. Schouler's *United States*, V, 214.

308. Fugitive Slaves. — Whatever good results might have followed from the Compromise of 1850 without the Fugitive Slave Law were more than offset by the passage of that measure. There could be no "union of hearts" in face of it. The passage of the Fugitive Slave Act was one of the worst blunders in the long series of errors which led to the perpetuation of slavery in the South. Every day that slavery existed, the South grew weaker morally, materially, and politically. As it was, Southern policy clearly demanded that the slave owners should avoid every irritating question and should seek to discover the best means by which slavery could be checked and brought to an end. In place of so doing, they seized every occasion to push the further extension of slavery and to fasten the institution on themselves and their posterity; they lost no opportunity to bring the matter prominently before the people of the North, and compel them to think about it whether they would or not. The execution of the Fugitive Slave Law did more to arouse the moral sentiment of the Northerners than the arguments of the abolitionists had done in twenty years. It may be asserted that the people of the free states — whether for freedom or slavery in the South or in the territories — were unanimous for freedom on their own soil. Furthermore, the execution of the law brought the people of the North face to face with certain phases of slavery in whose existence most of them had persistently refused to believe. Moreover, there seems to have been no adequate reason for the passage of the law. It has been stated that only one thirtieth of one per cent of

the slaves escaped in any one year. Some scheme of insurance against slave escapes would have fully protected every Southern slave owner at trifling cost.

The act itself appears to have been drawn with the express object of humbling the Northerners. The right to a jury trial was denied to the person designated as a fugitive slave; the affidavit of the person claiming the negro was sufficient evidence of ownership; the writ of *habeas corpus* was denied to the reclaimed negro; and the act was *ex post facto*. The authors of the bill forgot, however, that while a jury trial was denied to the negro claimed as a fugitive, neither it nor the writ of *habeas corpus* was or could be denied to the rescuer of the negro from the clutches of the fugitive slave hunter; nor were any means provided by which a state could be punished for placing obstacles in the way of the carrying out of the act.

The Fugitive Slave Act. Rhodes's *United States*, I, 185. Sumner's speech on repeal of this act is in Johnston's *Orations*, II, 268–340.

Agents of the slave owners soon appeared in the Northern states, and more seizures of fugitives occurred in one year after the passage of the act than in all the sixty years before. Except in a few cases, it was found to be impossible to secure and retain possession of the runaways. State after state passed ("personal liberty laws") which practically nullified the operation of the act. Some of these laws imposed heavy fines on state officers who in any way assisted the pursuers of fugitives; others prohibited lawyers who prosecuted in these cases from the practice of their profession; and still others forbade the confinement of fugitives in state prisons. The most famous cases of rescue and attempted rescue were those of Shadrach, the Christiana riot (1851), Burns (1854), the Oberlin-Wellington rescue (1858), and the legal struggle which occurred in Wisconsin in 1858–59. Perhaps the most dramatic episode was the attempt of Thomas Wentworth Higginson and others to rescue Anthony Burns; it failed, but it is said to have cost the government one hundred thousand dollars to return this one fugitive to his master. Another result was a great increase in the facility for escape offered to fugitives in the Northern

Rescues of fugitives, 1851–59. Schouler's *United States*, V, 204, 294; Rhodes's *United States*, I, 208, 222, 499.

states. This was popularly known as the "underground railroad," and its activity and efficacy increased enormously. Bearing all these things in mind, it is no doubt true, as Senator Benton declared, that the act "has been worth but little to the slave states in recovering their property."

Uncle Tom's Cabin. Rhodes's *United States*, I, 278.

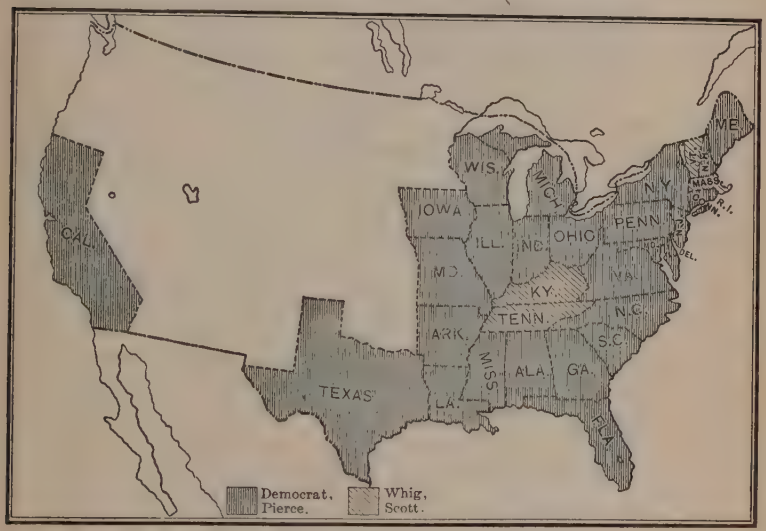
309. Election of 1852. — Mrs. Harriet Beecher Stowe's *Uncle Tom's Cabin* was published in the summer of 1852. Its success was unprecedented in the history of American literature, and the effect produced by its publication was most important and far-reaching. It has been related that just after the battle of Bull Run Lincoln met Mrs. Stowe for the first time and greeted her as "the little woman who caused this great war." This story may not be true, but it is certain that *Uncle Tom* exercised a tremendous influence in arousing public opinion in the North. It is remarkable, however, that the Democrats were successful in the election which followed immediately on its appearance.

Harriet Beecher Stowe
From a contemporary engraving

Election of 1852. Stanwood's *Elections*, 178–191; Schouler's *United States*, V, 240–250.

The Democrats nominated a comparatively unknown man, Franklin Pierce of New Hampshire; the Whigs chose as their standard bearer the most successful soldier in the country, Winfield Scott. The Free-soilers also had a candidate in the field, but their strength had declined since 1848. The Democrats were now united, while the attempt

of the Whigs to avoid expressing an opinion on the slavery question had weakened them in the North without increasing their strength in the South. The Free-soilers, by attracting Whig voters, really aided the Democrats. Ridicule was heaped on Scott, who was a man of showy habits, and, not always happy in the use of language. The real reason for the Democratic success, however, was a mistaken feel-



Election of 1852

ing that with that party in control of the government, less would be heard of the contest over slavery.

The Kansas-Nebraska Act, 1854. Schouler's *United States*, V, 279–292; *Rhodes's *United States*, I, 424; Johnston's *Orations*, III, 50–87.

310. The Kansas-Nebraska Act. — For ten years since 1844, Stephen Arnold Douglas, senator from Illinois, had been anxious to secure a territorial organization for the region west of Iowa and Missouri. Unless this were done, it might become an Indian reservation, which he undoubtedly thought would be a sacrifice. In January, 1854, Douglas introduced a bill to provide for the organization, as the territory of Nebraska, of all the Louisiana Purchase north of the

line of the Missouri Compromise (36° 30′ north latitude), and west of the states of Missouri and Iowa. It was proposed that this territory should be admitted to the Union at some future time as one state or as several states, "with or without slavery as their constitution may prescribe at the time." On being reminded that this region had been devoted to freedom by the terms of the Missouri Compromise, Douglas asserted that that compromise had been superseded and repealed by the Compromise of 1850. He maintained that he now merely proposed to extend the principle of "popular sovereignty" to the country north of the line of 1820. He was driven to do this by "a proper sense of patriotic duty." He repeated Webster's argument that slavery was excluded by nature from the proposed territory. Before its passage, the bill was changed to provide for the organization of two territories: Kansas and Nebraska in place of one, Nebraska, — Kansas to include the region between 37° and 40° north latitude, and Nebraska that between 40° and 49°. Kansas, as thus defined, would be situated directly west of the slave state of Missouri, and Nebraska of the free state of Iowa. Probably this division was made in the expectation that Kansas would become a slave and Nebraska a free state. The bill as finally passed also declared that the Missouri Compromise had been suspended and made inoperative by the principles of the Compromise of 1850.

MacDonald's *Documents*, Nos. 85–88.

311. Appeal of the Independent Democrats, 1854. — Douglas's soothing assurances that the opening of these territories to slavery was a matter of no great moment, did not commend itself to the antislavery leaders in the Senate. Senator Chase of Ohio asserted that the proposed measure was "a violation of the plighted faith and solemn compact [the Missouri Compromise] which our fathers made, and which we, their sons, are bound by every sacred tie of obligation sacredly to maintain." The old political leaders had now passed away; new men had come to the front: Seward, Wade, Hale, but none more outspoken than Charles Sumner of Massachusetts. He joyfully welcomed the issue raised

Opposition to the passage of the act. Rhodes's *United States*, I, 441; Johnston's *Orations*, III, 3–49.

by the Kansas-Nebraska Bill: "To every man in the land, it says with clear penetrating voice, 'Are you for freedom or are you for slavery?'"

Some of the leading opponents of the measure summed up their objections to it in a document entitled, *Appeal of the Independent Democrats*. They arraigned the bill "as a gross violation of a sacred pledge [the Missouri Compromise]; as a criminal betrayal of precious rights; as part and

"Appeal of the Independent Democrats." *American History Leaflets*, No. 17.

Kansas-Nebraska Act, 1854

parcel of an atrocious plot to exclude from a vast unoccupied region immigrants from the Old World, and free laborers from our own states, and convert it into a dreary region of despotism, inhabited by masters and slaves.

"Take your maps, fellow-citizens, we entreat you, and see what country it is which this bill gratuitously and recklessly proposes to open to slavery." As to the statement that the Missouri Compromise had been made inoperative by the Compromise of 1850, the "Independent Democrats" de-

cared in a postscript to the "Appeal" that such a statement was "a manifest falsification of the truth of history."

Popular sovereignty.

312. Popular Sovereignty. — "Popular sovereignty," or "squatter sovereignty," is thus defined in the Kansas-Nebraska Act: "The true intent and meaning of this act [is] not to legislate slavery into any territory or state, nor to exclude it therefrom, but to leave the people thereof perfectly free to form and regulate their domestic institutions in their own way, subject only to the Constitution of the United States." Apart from the question of the violation of the Missouri Compromise, the Kansas-Nebraska Act was fatally incomplete in providing no efficient means for the peaceful occupation of the territories by free immigrants, or by slave owners with their slaves. On the face of it, all that the slave owners asked was to be allowed to carry their slaves with them; "in reality," as Senator Benton said, what the slaveholder wanted was "to carry the state law along with him to protect his slave," or rather his interest in his slave. It was necessary, therefore, the moment a slave entered a territory to enact a complete code of slave laws to keep him in bondage. It was impossible to permit slave owners and free immigrants to live together under a territorial organization, and settle the question when the time came to seek admission into the Union.

Wishes of the slave owners.

Abraham Lincoln. Morse's *Lincoln*, (S. S.).

Douglas's ablest opponent in Illinois was Abraham Lincoln, who had already served one term in Congress, but had not been re-elected. While in Congress, he had made one speech which is interesting to note in view of his later career. It was in 1847 that Lincoln declared: "Any people anywhere have the right to rise up and shake off the existing government, and form a new one that suits them better. . . . Nor is this right confined to cases in which the whole people . . . may choose to exercise it. Any portion of such people, that can, may revolutionize, and make their own of so much of the territory as they inhabit." This would appear to be a recognition of the doctrine of "popular sovereignty" in its most extended application. But Lincoln now opposed most

warmly the application of it made in the Kansas-Nebraska Act. "I admit that the emigrant to Kansas and Nebraska is competent to govern himself, but I deny his right to govern any other person without that person's consent." The act was especially defective in that it contained no means of ascertaining the "popular sovereign's" will. Bloodshed was inevitable; "will not the first drop of blood so shed be the real knell of the Union?"

Kansas. Schouler's *United States*, V, 320–333.

313. Struggle for Kansas, 1855–61. — The slave owners and their friends at once prepared to take possession of Kansas, which they appear to have regarded as rightfully belonging to them. Bands of "Sons of the South," as they called themselves, or "Border Ruffians," as the free-state settlers soon came to regard them, now crossed the frontier of Missouri to seize the government of the new territory, and to occupy the best lands until actual settlers should appear from the South. The Southern settlers never came in any force. The slave owners were well to do and possessed freedom of movement to a certain extent. It was easy for one of them to take a number of slaves, migrate to a neighboring slave state, and establish a new plantation like the one which he had left behind him. When it came, however, to making a long journey to an unknown region whose climate might prove injurious or fatal to his blacks, and to engage in new forms of agriculture, — to which he and his slaves were unaccustomed, — that project was one not to be lightly undertaken. It proved, indeed, nearly impossible to induce the slave owners to remove. It was of little avail to encourage the emigration of Southern whites, unless a considerable body of slaveholders and slaves accompanied them; the story of California had shown that Southern whites, mingled with a mass of Northern whites, would unhesitatingly vote to exclude slavery from their new home.

Free emigration to Kansas.

Settlers from the free states were confronted by none of the impediments which beset the slaveholders, but difficulties caused by distance, expense, and opposition of the "Border Ruffians" were to be overcome. The hindrances of distance

and expense were surmounted by rich New Englanders, — as Amos A. Lawrence, — who formed the New England Emigrant Aid Society. Northern settlers soon thronged to Kansas; but the opposition of the Sons of the South remained to be vanquished.

Election in Kansas, 1855.

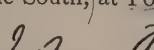
The first territorial election was held in 1855, and the Sons of the South carried the elections for the proslavery party by the use of fraud and violence. In the town of Lawrence, for example, seven hundred and eighty-one votes were cast, although there were only three hundred and sixty registered voters on the list. The legislature, elected in this manner, was entirely under the control of the proslavery men. It adopted the laws of Missouri in bulk — slave code and all — as the laws of the new territory; it went even further, and passed severe laws to punish interference with slaves.

The Topeka Convention, 1855.

The free-state settlers then proceeded to establish a government of their own; they held a convention at Topeka, drew up a constitution, and applied to Congress for admission to the Union as a free state (1855). A committee of the House of Representatives visited Kansas. It reported that the elections to the legislature had been carried by "organized invasion." The House then voted to admit Kansas as a free state under the Topeka constitution, but the Senate refused to agree to this, and put an end to all hopes of a peaceable solution of the question.

Civil war in Kansas.

The conflict in Kansas now assumed the form of open war. Slave partisans attacked Lawrence, and burned several buildings. The free-state settlers retaliated; one of the latter encounters was the massacre of several Sons of the South, at Pottawatomie, by a band led by John Brown.



It is difficult to say which party behaved with the most intemperance and disregard of the rights of others. At all events, it was certain that this application of the doctrine of "popular sovereignty" had resulted in civil war.

In 1857 the free-state settlers obtained control of the legislature; but one of the last acts of the fraudulent

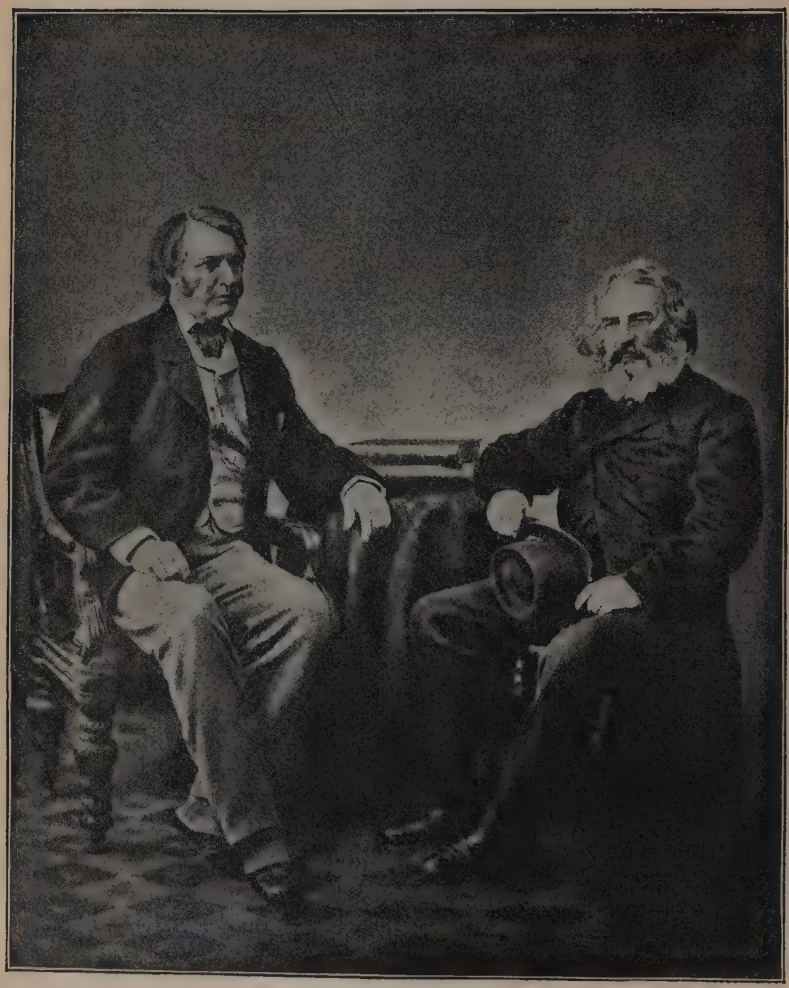
legislature had been to provide for a constitutional convention to be held at Lecompton. About one third of the ballots cast for delegates to this convention were fraudulent. When the constitution was submitted to the people for ratification, the question upon which they were really asked to vote was whether Kansas should be a state with limited or unlimited slavery. This method of defeating the will of the "popular sovereign" was more than Douglas could bear; he broke with the administration. An effort was made to effect a compromise; but, on a fair election, the people of Kansas refused to compromise by a vote of nearly eleven thousand to over two thousand. It was not until 1861 that Kansas was admitted to the Union.

Lecompton Constitution.

Before 1845, foreign immigration to the United States had been on a scale so small as to attract slight attention, practically none from the politicians. Some jealousy of foreign immigrants had been shown in 1844, but it was not until 1852 that opposition to the "foreign element" became the basis of a political organization extending over many states. Then was formed the American party, whose idea was that "Americans must rule America." At the back of this organization was a secret order whose members, when questioned by outsiders as to their principles and methods, professed an entire ignorance; they were hence called "The Know-nothings," and the American party was more usually called the Know-nothing party. In 1854, not long after the passage of the Kansas-Nebraska Act, an election was held for members of Congress. In the House of Representatives, which had passed that measure, the Democrats had a majority of over eighty. Of the forty-two Northern Democrats who had voted for the bill, only seven were re-elected. The Anti-Nebraska men, as the opponents of that measure were called, left the Democratic and Whig parties and joined the Free-soilers and the Know-nothings — the Whigs generally joining the latter, who showed unexpected strength in 1854, and especially in the state elections in 1855. The new Congress

The Know-nothings. Rhodes's *United States*, II, 50.

Anti-Nebraska men.



Sumner and Longfellow

From a contemporary print

which met in 1855 contained representatives of all three parties and fragments of parties. Gradually, as the contest in Kansas grew fiercer, the Anti-Nebraska men began to draw together, and, going back to the party organization of the earlier time, began to call themselves Republicans.

Four conventions were held in 1856 to nominate candidates for the presidency. The Know-nothings, who now

Party conventions, 1856.

Election of 1856

advocated a policy of "do nothing" on the slavery question, nominated Millard Fillmore of New York, who, as President, had signed the Fugitive Slave Law, and the Whigs nominated him also. The Republicans, now including in their ranks the old Free-soilers, the Northern Anti-Nebraska Democrats and Whigs, and such of the abolitionists as were willing to exercise their political rights, nominated John C. Frémont, an army officer who had been active in the seizure of California. The Democrats nominated James Buchanan of Pennsylvania for President and John C. Breck-

Election of 1856. Stanwood's *Elections*, 192–213; Schouler's *United States*, V, 349–356.

inridge of Kentucky for Vice-President: they elected their candidate, but the Republicans showed most unexpected and startling strength: in 1852 the Democrats had carried every state, North and South, save four; in 1856 they were successful in only four Northern states. The Republicans won Delaware and every Northern state except the four which remained faithful to the Democrats. The Free-soilers had cast one hundred and fifty-seven thousand votes in 1852; the Republicans cast one million three hundred and fifty thousand votes in 1856, only five hundred thousand less than the Democrats. The Whig party and the Know-nothings disappeared; the Republicans had no following in the South; and the Democratic party remained the only political organization which in any way united the free North and the slaveholding South. After 1857, the slaveholders made such excessive demands that even the Northern Democrats could no longer accept them; the party split in twain, and the division of the country into two sections was complete. One of the most important steps in this repulsion of Northern party loyalty was the action of the Supreme Court in the Dred Scott case.

The Dred Scott case, 1857. Schouler's *United States*, V, 376; *Rhodes's *United States*, II, 251; Johnston's *Orations*, III, 154–167; MacDonald's *Documents*, No. 91.

314. The Dred Scott Decision, 1857. — Dred Scott, as a slave, had been taken by his master to the free state of Illinois and to that region west of the Mississippi where slavery had been "forever forbidden" by the Missouri Compromise. Returning with his master to Missouri, he sued for his liberty on the ground that residence in the free North had made him free. The case finally came before the Supreme Court of the United States. The technical question before that tribunal was whether the federal courts had jurisdiction in the matter. The court, Justices McLean and Curtis dissenting, decided that they had no jurisdiction. This decision was based on the ground that neither a slave nor the descendant of a slave could be a citizen of the United States within the meaning of the Constitution and hence enjoy the right to appear as a party to a suit in a federal court. The Chief Justice, Roger B. Taney, then proceeded to outstep the

proper function of the court and to settle the question of slavery in the territories — which was not before it at all. He said that slaves were property within the meaning of the Constitution; that property was guaranteed protection by the Constitution; that Congress could not legislate against property, and that, therefore, the Missouri Compromise was null and void, inasmuch as it prohibited the carrying of property into a certain part of the Union. Into the legal aspects of the case it is not necessary to enter here. The people of the North understood the court to say that under no circumstances whatever could Congress effect a lawful compromise on the question of slavery in the territories; they generally refused to regard the opinion of the Supreme Court as expressing the true interpretation of the Constitution; it remained to be seen what attitude the Northern Democratic leaders would take.

315. Lincoln and Douglas, 1858. — In 1858 Senator Douglas sought a re-election to the Senate of the United States; Abraham Lincoln stepped forward to contest the seat, and the campaign which followed was one of the most important in the history of the United States. In his first address, Lincoln startled his hearers and dismayed his party leaders by the outspoken frankness of his language: "Agitation [against slavery] has not only not ceased but has constantly augmented. In my opinion it will not cease until a crisis shall have been reached and passed. 'A house divided against itself cannot stand.' I believe this government cannot endure permanently half slave and half free. I do not expect the house to fall, but I expect it will cease to be divided. It will become all one thing or all the other. Either the opponents of slavery will arrest the further spread of it . . . or its advocates will push it forward, till it shall become alike lawful in all the states, old as well as new, — North as well as South." Lincoln and Douglas held a series of joint debates, in the course of which Lincoln compelled Douglas to defend the doctrine of "popular sovereignty," and to assert that a territorial legislature could enact laws

Lincoln and Douglas, 1858. Schouler's *United States*, V, 410.

Lincoln's "house divided" speech, 1858. Rhodes's *United States*, II, 314; Johnston's *Orations*, III, 168–182.

Douglas's "Freeport Doctrine." Johnston's *Orations*, III, 184–194.

hostile to slavery and thus completely nullify the Dred Scott decision. The Democrats won the state election and the state legislature returned Douglas to the Senate; but the admissions that Lincoln had wrung from Douglas made the latter's candidature for the presidency distasteful to the slaveholders, while Lincoln by his plain speaking had at one stroke won a foremost place in the Republican party. His "house divided" speech, which had dismayed his friends at the time, proved to have been one of the wisest actions of one of the wisest of men.

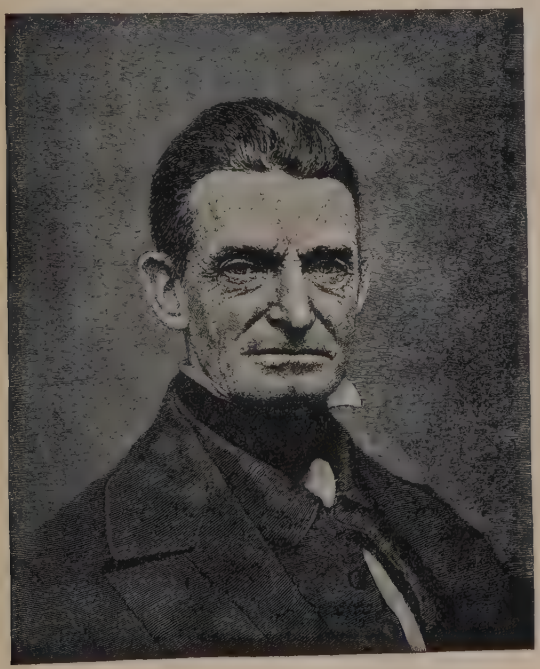
Seward's "irrepressible conflict" speech, 1858. Rhodes's *United States*, II, 344; Stedman and Hutchinson, VI, 46; Johnston's *Orations*, 195–207.

In the same year Seward made a speech which probably had more influence in forming Northern opinion than any other speech made before the war. He said, in speaking of the struggle between slavery and freedom, "it is an irrepressible conflict between opposing and enduring forces, and it means that the United States must and will, sooner or later, become either entirely a slaveholding nation or entirely a free-labor nation." The slaveholders were determined that it should become the former. They demanded that the opinion of the judges in the Dred Scott decision should be respected; and, going even farther, peremptorily required that Congress should pass laws for the protection of slaves as property in their territories. While matters were in this state of great tension, John Brown appeared at Harper's Ferry to attempt the freedom of slaves.

John Brown's raid, 1859. Schouler's *United States*, V, 437–441; Rhodes's *United States*, II, 383.

316. John Brown's Execution, 1859. — Born in Connecticut, John Brown had emigrated to Kansas at the beginning of the conflict between the forces of freedom and slavery in that territory. Self-willed and quick to resent wrong, he had engaged in several affairs in Kansas which met with strong disapprobation on the part of those foremost in the struggle against the extension of slavery. He now formed a scheme to free the slaves in the South. He asserted that "twenty men in the Alleghanies could break slavery in pieces in two years" — precisely how is not clear. It is clear, however, that it was his intention to free the slaves, not to excite a slave insurrection — although it is difficult to understand how the

former could be accomplished without bringing on the latter; it is also clear that his project met with strong disapproval from many persons to whom he applied for money. On the 16th of October, 1859, he suddenly appeared at Harper's Ferry, Virginia, at the confluence of the Potomac and Shen-



John Brown

andoah rivers, with nineteen followers. He seized the United States arsenal at that place, but allowed a train to pass on its way to Washington. He was captured with all but two of his followers, indicted, tried, convicted, and executed on a charge of treason and conspiracy with slaves and others to rebel and murder. It is interesting to note how differently Brown's raid and execution appeared to different

His execution. Stedman and Hutchinson, VI, 34.

Contemporary opinion.

persons. For example, Emerson wished that we might "have health enough . . . not to cry 'madman' when a hero passes," and Longfellow wrote in his journal, "This will be a great day in our history; the date of a new revolution quite as much needed as the old one." To the politicians it assumed quite another phase, and the Republican convention held in May, 1860, denounced it as "among the gravest of crimes." In 1881 Edward Atkinson stated to a Southern audience that he expected to see the day when Confederate soldiers or their children will erect a monument to John Brown "in token of the liberty which he brought to the white men of the South." There were not wanting Southern men, even at that time, who could discern the evils slavery had wrought for them.

Helper's *Impending Crisis*. Rhodes's *United States*, II, 419; Stedman and Hutchinson, VIII, 411.

317. **Helper's *Impending Crisis*, 1857.** — One of these keen-sighted men was Hinton Rowan Helper, a "poor white" of North Carolina. In a book entitled *The Impending Crisis of the South* he attacked slavery in the interests of the non-slaveholding Southern whites. Abolition, he argued, would improve the material position of the South. He drew an interesting picture of the rise of thriving manufacturing villages in that section, where the farmers would find a market for their produce; schools also would be established, and the poorer children educated as they were in the North. As it was, the case of the South was desperate, and nothing except abolition could save her. The book attracted little attention at first, but in 1859 it suddenly increased in circulation. Nothing, not even John Brown's raid, did more to arouse the fears of the slaveholding oligarchy. Seven out of every ten voters in the South were non-slaveholding whites. Had they been able to read and understand the arguments set forth in this book, slavery would have been doomed to destruction. When a Southern white could assume such a position, it behooved the leaders of the slave power to take immediate action.

SUGGESTIVE QUESTIONS AND TOPICS

§§ 298–301. Texas, Mexico, and Oregon

a. Show how the Southern voters enjoyed undue power.

b. Had you been opposed to the extension of slave territory, how would you have voted in 1844? Give your reasons.

c. What did the word "Oregon" signify in 1845, 1847, 1860? Which country, the United States or Great Britain, had the best claim to Oregon in 1846? Why?

§ 302. The Walker Tariff

a. Look up the Walker Tariff (Lalor's *Cyclopædia*), and compare it with the present tariff, especially as to taxes on raw materials, on textiles, and on luxuries.

b. To what causes do you attribute the prosperity of the country in the years 1846–57? Give your reasons in full.

c. Show how farming on a large scale was immeasurably promoted by the invention of the McCormick reaper.

§§ 303–308. The Compromise of 1850

a. Was compromise any more necessary in 1850 than at the time of the Whiskey Rebellion or of the Nullification Episode?

b. Precisely what would have been the effect of the Wilmot Proviso had it been passed?

c. How would you have voted in 1848, and why? If you had been a New York Democrat, how would you have voted?

d. State at length Taylor's and Clay's policy as to slavery extension in 1849–50.

e. Read Webster's "Seventh of March Speech," and explain why it aroused feeling against him in the North.

§ 308. Fugitive Slaves

a. Explain fully why the Fugitive Slave Law was a blunder on the part of the Southerners.

b. Look up the writ of *habeas corpus*, or get some lawyer to explain it to you. Quote the clause in the Constitution touching it. Why could it be denied to the fugitive slave and not to the rescuer?

§§ 309–314. Elections of 1852 and 1856

a. Read Mrs. Stowe's *Uncle Tom's Cabin*, and explain why it was a potent factor in causing the Civil War.

b. Trace the genesis of the Republican party from the parties of Jackson's time. Is the present Democratic party any more the descendant of Jefferson's Republican party than is the present Republican party? Give your reasons.

c. For what candidate would you have voted in 1852? In 1856? Give your reasons.

§§ 310–316. The Contest over Kansas

a. Why was the Kansas-Nebraska Act the most momentous measure that ever passed the Congress of the United States?

b. Read a detailed account of the conflict in Kansas, and state which party acted in the more unlawful manner. Give your reasons.

c. Squatter or Popular Sovereignty: define. Explain the force of Senator Benton's assertion in § 312.

d. Discuss the Kansas-Nebraska Act as to constitutionality, expediency, immediate and remote effects on the North, on the South, on the Union.

e. State the principal points of the Dred Scott opinion. State Douglas's "Freeport Doctrine." Can you reconcile them?

f. Why did Lincoln believe that the Union could not endure "half slave and half free"? Why was the conflict "irrepressible"?

General Questions

a. Make continuous recitations from note-book upon (1) Limited Power of Congress, (2) Fugitive Slave Laws, (3) Nullifying Ordinances, (4) Mason and Dixon's line, (5) Important Treaties, (6) Secession.

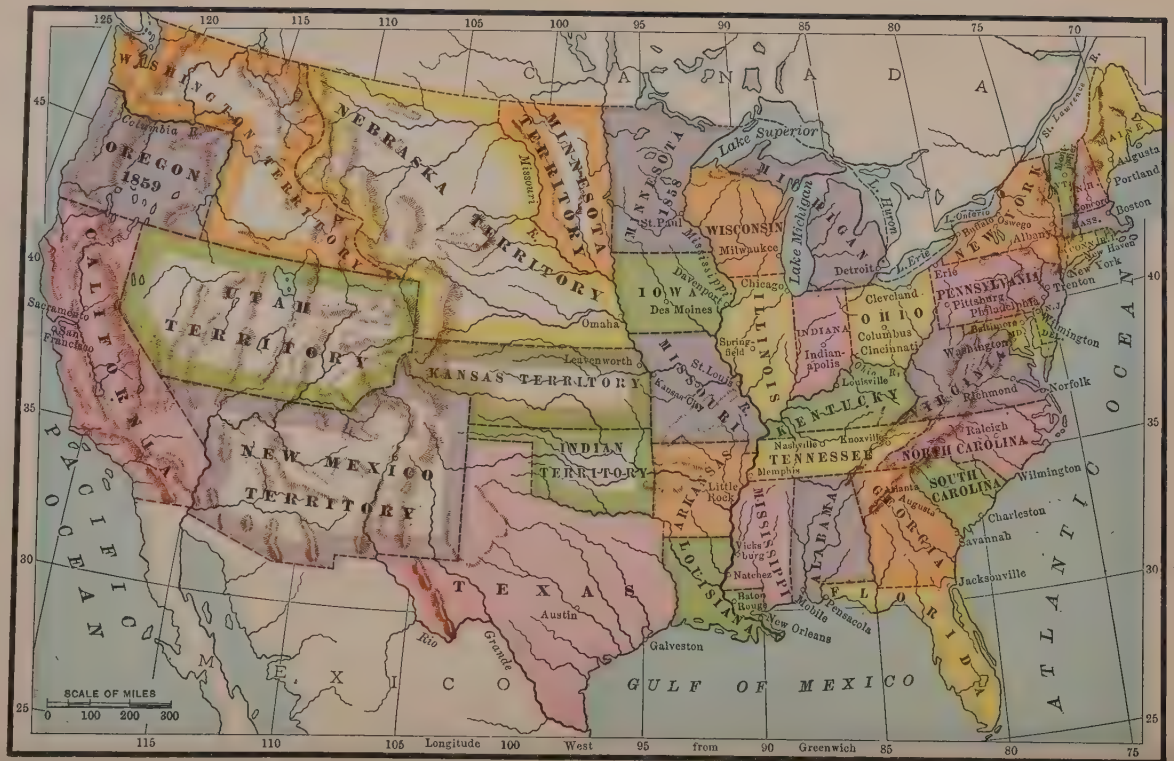
b. Subjects for reports based on secondary authorities: (1) the careers, or portions of them, of Generals Scott and Taylor, Senators Seward, Chase, Sumner, and Douglas, Mrs. Stowe; (2) the Fugitive Slave cases, or one of them; (3) the Federal judiciary, 1829–61; (4) the weak Presidents and results of their weakness.

Topics for Investigation by Individual Students

a. Tabulate the electoral votes of 1844, 1848, 1852, and 1856. Arrange the table to show votes by sections; the North, the South, the East, the Northwest (Stanwood's *Elections* as cited on pp. 420, 430, 438, 448).

b. Summarize the argument of (1) Clay, (2) Calhoun, (3) Webster, (4) Seward, (5) Chase, (6) Douglas, and (7) Lincoln (Johnston's *Orations* as cited on pp. 434, 435, 437, 440, 441, 448, 449, 450).

c. Summarize the arguments of the "Independent Democrats" (441, second group).


WASHINGTON TERRITORY
OREGON 1859
NEBRASKA TERRITORY
MINNESOTA TERRITORY
CALIFORNIA
UTAH TERRITORY
KANSAS TERRITORY
NEW MEXICO TERRITORY
INDIAN TERRITORY
TEXAS
MINNESOTA 1858
WISCONSIN
IOWA
ILLINOIS
MISSOURI
ARKANSAS
LOUISIANA
MISSISSIPPI
ALABAMA
GEORGIA
FLORIDA
SOUTH CAROLINA
NORTH CAROLINA
TENNESSEE
KENTUCKY
VIRGINIA
OHIO
INDIANA
MICHIGAN
NEW YORK
PENNSYLVANIA
MAINE
Lake Superior
Lake Michigan
Lake Huron
L. Erie
L. Ontario
CANADA
PACIFIC OCEAN
ATLANTIC OCEAN
GULF OF MEXICO
MEXICO
Columbia R.
Sacramento
San Francisco
Missouri R.
Omaha
Leavenworth
Kansas City
St Louis
Springfield
Mississippi R.
St Paul
Milwaukee
Chicago
Davenport
Des Moines
Detroit
Cleveland
Columbus
Cincinnati
Indianapolis
Louisville
Nashville
Knoxville
Memphis
Little Rock
Vicksburg
Natchez
Baton Rouge
New Orleans
Mobile
Pensacola
Galveston
Austin
Rio Grande
Atlanta
Augusta
Savannah
Charleston
Wilmington
Jacksonville
Raleigh
Richmond
Norfolk
Washington
Baltimore
Philadelphia
Pittsburg
Erie
Buffalo
Oswego
Albany
Trenton
New York
New Haven
Boston
Mass.
Portland
Augusta
St. Lawrence R.
SCALE OF MILES
0 100 200 300
Longitude West from Greenwich
125 120 115 110 105 100 95 90 85 80 75 70
45 40 35 30 25

CHAPTER XII

SECESSION, 1860–1861

Books for Consultation

General Readings. — Johnston's *American Politics*, 189–196; Wilson's *Division and Reunion*, 204–216; Morse's *Abraham Lincoln;* Goldwin Smith's *United States.*

Special Accounts. — *Rhodes's *United States*, III, ch. xii (condition of the country in 1860); Greeley's *American Conflict;* *Von Holst's *Constitutional History;* Schouler's *United States;* *Draper's *Civil War;* Ropes's *Story of the Civil War*, I; *Stephens's *War between the States;* Blaine's *Twenty Years;* *Pollard's *Lost Cause;* *Taussig's *Tariff History.* Lives of leading statesmen, *Guide*, § 25.

Sources. — *American History Leaflets;* Williams's *Statesman's Manual;* Johnston's *American Orations;* McPherson's *History of the Rebellion;* Stedman and Hutchinson's *Library of American Literature.* Writings of the leading statesmen, *Guide*, §§ 32, 33.

Maps. — Hart's *Epoch Maps*, Nos. 8, 13.

Bibliography. — Channing and Hart, *Guide to American History*, §§ 56 a, 56 b (General Readings), §§ 203–207 (Topics and References).

Illustrative Material. — *Nicolay and Hay, *Abraham Lincoln;* *Buchanan's *Buchanan's Administration;* Garrisons' *Garrison;* Dabney's *Defence of Virginia;* Sherman's *Memoirs;* Olmsted's *Cotton Kingdom;* A. L. Lowell's *Political Essays;* Wise's *Seven Decades;* Coleman's *Crittenden;* Bett's *Joseph Henry* (M. A.); Holmes's *Emerson;* Helper's *Impending Crisis;* *Davis's *Confederate States.*

Gayarré's "Sugar Plantation" (*Harper's Magazine*, May, 1887); Smede's *Memorials of a Southern Planter;* Page's *The Old South;* Trent's *W. G. Simms.*

SECESSION, 1860–1861

318. Introductory. — The year 1860 saw the breaking down of the policy of compromise which had distinguished the political history of the country since the beginning of the Revolutionary War. This change was brought about by a

Southern policy, 1860.

complete alteration in the political attitude of the leaders who guided the fortunes of the South. In their opinion, the time had come to push their demands — or their rights, as they regarded them. It would no longer do for the Union merely to tolerate slavery: the federal government must actively undertake the extension and protection of it; the Northerners must change their sentiments and declare it to be right. Failing this complete surrender on the part of the North, the Southern leaders were determined to break up the Union and to establish a slave republic in the South. Probably they expected little resistance from the people of the North; they certainly had no fears as to the outcome of civil war, should it take place. They were laboring under some of the most curious delusions which the student of history meets in the whole course of his work. To comprehend the history of the next six years, it is necessary to understand the material conditions of the country as a whole, and those of the two sections respectively.

Numbers, 1860.

319. Population, 1860. — The population had increased from slightly under thirteen millions in 1830 to over thirty-one millions in 1860. The increase had been especially rapid since 1850, when the population numbered twenty-three millions. A large part of this growth was due directly to immigration, which had gathered in volume every decade. The total immigration of these thirty years amounted to nearly five millions (4,902,000). Of these newcomers about six hundred thousand came in the ten years 1831–40, more than seventeen hundred thousand in 1841–50, and over two and one half millions in 1851–60; the largest number in any one year before the Civil War was four hundred and twenty-eight thousand in 1854. This ever-widening stream of immigration was owing largely to causes over which the United States had no control.

Immigration, 1830–60.

The period extending from 1830 to 1860 was a time of unparalleled distress and disorder in Europe: on the continent revolution succeeded revolution, while a terrible famine swept off a large portion of the people of Ireland

and made it difficult for the survivors longer to live in the old home of their race. From all parts of northern and western Europe immigrants poured into the United States. Great material prosperity and unusual personal liberty drew them to the states of the federal union in preference to Canada or Mexico or to the Australian or African colonies of England. These immigrants brought little with them; unskilled labor was their stock in trade; but this was what America needed. These strong men built the cities and railroads of the North, and added thousands of acres to the fields of corn and wheat in the West. Politically, their coming was of the greatest importance: in the crowded cities they often interfered sadly with the cause of good government, mainly through ignorance; but as far as national politics was concerned, their presence was a positive good. For years the United States — the great republic beyond the sea — had been to them as a star of hope in the western sky: they knew nothing of the states, individually, and for them states' rights had no charm; the United States was their adopted home, and when the time came to show their devotion, they responded most heroically. Nor was this matter one of small moment: in 1860 the foreign-born residents formed over thirteen per cent of the total population of the country. Unskilled white labor played little part in the development of the South; the immigrants settled almost entirely in the North, and formed nearly one quarter of the population of that section. In many parts of the West they were the majority of the inhabitants.

Analysis of population.

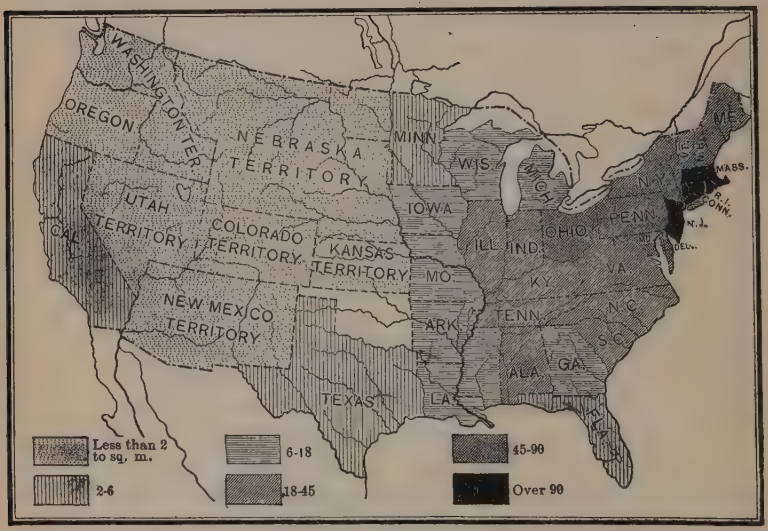
320. Distribution of the Population, Area, etc. — Since 1830, one million square miles had been added to the national domain. This addition included Texas, Oregon, and the territory acquired from Mexico in 1848 and in 1853, when forty-five thousand square miles were purchased from Mexico — known as the Gadsden Purchase, from the name of the negotiator on the part of the United States (Map, p. 428). The total area of the United States was now over three million square miles, in comparison with two

Area.

millions in 1830 and less than eight hundred and fifty thousand in 1783. The settled area had increased even more rapidly — from six hundred and thirty thousand square miles in 1830 to nearly twelve hundred thousand square miles (1,194,754) in 1860.

Center of population, 1860.

The center of population moved westward with ever-increasing rapidity — one hundred and ninety-one miles



Density of population, 1860

in the years 1830–60, in comparison with one hundred and twenty-five miles in the preceding thirty years (map, p. 296). The western progress of this artificial point during the last decade (1850–60) was owing to the rapid settlement of California and Oregon, and shows how artificial, misleading, and inaccurate it is as denoting density of population or national growth: in 1850 twelve persons at San Francisco had as much weight in determining this artificial point as forty at New York. Nevertheless, until 1850, and after 1870, the movement of the center of population

indicates in a rough way the growth of the population of the several sections. Since 1830 nine states had been added to the Union, and another, Kansas, was demanding admission: of those admitted, Arkansas (1836), Florida (1845), and Texas (1846) were slave states; the other six were free states: Michigan (1837), Iowa (1846), Wisconsin (1848), California (1850), Minnesota (1858), and Oregon (1859). It should be noted that the admission of California gave the free states a majority in the Senate, which was further increased by the admission of Minnesota and Oregon.

Influence of slavery.

321. Slave and Free Sections compared. — The area of the United States open to slavery was vastly larger than that preserved to freedom. Much of the former was still unoccupied, but the settled area given over to slavery was greater than that devoted to freedom. The settled slave region was as fertile as any part of the United States. It contained enormous stores of coal and iron and possessed vast water powers, great forests, and a climate in every way suited to all kinds of human occupations. Yet, with these great natural advantages, the slave states contained only twelve million of the thirty-one million inhabitants of the United States. Moreover, as slaves formed fully one third of the population of the Southern states, the white population of the slave and free states was in the proportion of eight to twenty. The effect of slavery in limiting population will become apparent by a study of the accompanying map, showing the density of population by states. It will be seen, for instance, that only two slave states, Maryland and Delaware, contained over forty-five inhabitants to the square mile, and five states fewer than eighteen to the square mile. On the other hand, four free states contained over ninety persons to the square mile and three large free states, New York, Pennsylvania, and Ohio, between forty-five and ninety. Indeed, two Northern cities alone contained more people than the state of South Carolina or of Texas, while one Northern city held more free whites than any slave state.

Northern cities.

The growth of Northern cities had been wonderful. The urban population of the country, as a whole, had increased from eight hundred and sixty-four thousand in 1830 to over five millions in 1860. In 1830 less than seven per cent of the population had been gathered into cities; in 1860 more than sixteen per cent was classed as urban. The opening of the commercial route from the Great Lakes to the seaboard by the Erie canal and the Hudson River had contributed greatly to the increase of the population of the two cities at the ends of the line, New York and Chicago. In 1830 the population of New York numbered less than two hundred thousand; by 1860 it had increased fourfold, and now numbered eight hundred and seven thousand. Chicago in 1833 had thirty-three names on the voting list; in 1860 more than one hundred thousand persons lived within its limits.

Southern cities.

There were many other large cities of from one hundred thousand to five hundred thousand inhabitants, — Philadelphia, Brooklyn, Boston, Cincinnati, Buffalo, and Newark. There were only three cities south of Mason and Dixon's line with over one hundred thousand inhabitants, — Baltimore, New Orleans, and St. Louis. Of these, New Orleans alone was situated within the limits of the states which seceded. In the North, also, there were very many manufacturing towns, growing rapidly and increasing in number. In the South there were no manufacturing towns and almost no commerce. Of the one hundred and seven cotton mills in operation, only eight were in the South; of the thirty thousand miles of railroad, but ten thousand were in the South. To all intents and purposes, the slave states were socially, economically, and commercially where they were in 1810. "Alone in all the world she [the South] stood, unmoved by the 'whirl and rush' of modern civilization," said one Southern man. "From the rattle with which the nurse tickled the ear of the child to the shroud for the dead," said another, "everything that the Southerners used came from the North."

322. Transportation. — The first period of railway building ended in 1849; there were then between six and seven thousand miles of railways in the country. Ohio, Indiana, and Illinois were still open fields. Between 1849 and 1858 there was great activity in railway construction: more than twenty-one thousand miles were built in those years. There was then a slackening, owing to the panic of 1857, but by the outbreak of the Civil War there were thirty thousand miles in operation. The maps of the northeastern states had begun to take on that gridironed appearance which is so familiar to the map reader of the present time. At the same time that the railway system was being extended existing lines were connected and worked in harmony. In 1850 one could not go by rail from New York to either Boston or Albany, as the journey was broken in places by water transport; in 1860 one continuous line of rails stretched from New York to the Mississippi. Railway building, 1830–60.

The great extension of the railway lines in the newer states west of the Alleghanies was due largely to the stimulus which came from congressional grants of lands to the railroads in that section. This process was begun in 1850 by a grant in aid of the Illinois Central. Congress gave to the state of Illinois every alternate section of the public lands on either side of the proposed railroad, and the state, on its part, turned over the land grants to the railroad company in consideration of a cash payment and a percentage of the gross receipts of the road when built. This policy was repeated in the case of other roads, and no less than one hundred and eighty million acres of the public lands were given in aid of the building of railroads, especially in the "Old Northwest," but the privilege was sometimes abused by dishonest and greedy railroad promoters. The land grants.

During the same period water transport, both domestic and foreign, greatly increased. There was often the most criminal recklessness in the management of steamboats, especially on the interior waterways. In 1852, on the motion of Senator John Davis of Massachusetts, Congress passed an Steamboats.

The mercantile marine.

excellent act for the regulation of steam traffic on the water. This law, with some changes suggested by later experience, is still in force.

American maritime industry was at its highest point in the decade before the war. In 1861 the tonnage of the United States exceeded that of any other nation: no less than five and one half million tons of shipping was registered under the American flag, in comparison with four and one half millions on the British shipping list. In 1860 three quarters of the exports of the United States were carried in American vessels.

Cause of prosperity, 1840–60.

323. Material Prosperity. — Mr. Rhodes, in his interesting chapter on the condition of the country in 1860, asserts "no one can doubt that from 1846 to 1857 the country was very prosperous." This prosperity was the result of a fortunate combination of many causes, among which may be mentioned the rapid settlement of the national domain, the great extension of lines of railroad, and the large increase of foreign commerce, especially with Great Britain. The first two of these have been described in preceding sections; it will be well to consider the last more in detail. The imports and exports of the United States had trebled in value since 1830. The increase in imports was due in part to the great demand for manufactured iron in the construction of railroads, and to the increased use of other foreign manufactures, owing to the low rates of impost under the Walker Tariff. In part, also, it was due to the importation of raw materials for the use of American manufacturers. The growth of exports was owing largely to the repeal of the British corn laws, and the establishment of free trade which took place at the same time. The repeal of the corn laws permitted the importation of cheap food stuffs into England. It greatly diminished the cost of living there, especially among the workers, and made it possible for them to accept lower wages. The abolition of duties on the raw material of manufacture, and the low cost of labor, enabled English manufacturers to gain control of the markets of the

world. British manufacturing industries were greatly stimulated, and the demand for raw materials kept pace with the increase in manufacturing. The cheap food stuffs and the most important raw materials were provided by the United States: in 1860 one hundred and seventy-three million bushels of wheat were grown, of which twenty-five thousand were raised west of the Mississippi, and the corn crop of that year amounted to over eight hundred million bushels. The demand for cotton by British and Northern spinners had stimulated the cultivation of that plant; the South produced about seven eighths of all the cotton grown in the world; the crop of 1859 amounted to four million six hundred thousand bales, the largest crop grown before the war. The demand for cotton was constantly outstripping the supply; in 1860 the consumption exceeded even the large crop of that year; Northern manufacturers used one and one half million bales, and four and one half millions more were exported, mainly to Great Britain.

Manufacturing industries.

The epoch under review also witnessed a great increase in manufacturing enterprises in the United States, which is the more notable in view of the fact that these were the years when the duties on imported goods were lower than at any time since 1824. Furthermore, the period of greatest expansion was in the decade 1850 to 1860, when the duties were at the lowest. A few figures will serve to show the extent and character of this growth: the capital employed in manufacturing had increased nearly fourfold, the number of hands employed had more than doubled, and the value of the manufactured product had grown from one thousand millions in 1850 to over four thousand millions in 1860. In this great industrial activity the South had little part: Virginia produced fifty and one half million dollars' worth of manufactured commodities; no other Southern state produced as much. New England still led in cotton manufacturing; in 1860 there were five million spindles in operation in the United States, of which over four million were in the New England states. The iron industry had also thriven,

and the mines of coal, iron, copper, and gold were beginning to yield their wonderful stores; but the period of expansion of the iron and coal industries belongs to the thirty years following the outbreak of the Civil War, and will be described in a succeeding chapter (p. 576).

Inventions.

It has already been noted how unfruitful the American mind was before 1800. By 1830 its genius had begun to unfold itself, and the thirty years between Jackson's and Lincoln's inaugurations were marked by great and wonderful inventions. The electric telegraph and the reaper have been already mentioned (p. 426). The first locomotives built in the United States were framed on English models, and the coaches were like those still in use in England. Soon, however, new types were developed, better suited to American roads and to the needs of American travelers. The breech-loading rifle, the harvester, and the sewing machine all belong to the decade immediately preceding 1860. The year 1852 saw the electric fire-alarm system in successful operation, and in 1853 the first practicable steam fire engine made its appearance. In 1858 an electric cable was laid under the Atlantic Ocean; it stopped working, however, almost immediately, and the first successful cable was opened to business in 1866. By 1860 the growth of large fortunes had begun: this growth was coeval with the railroad and the telegraph, and at the same time poverty had become more marked. This was largely due to the poorer character of many of the immigrants who came over in these years.

The Panic of 1857. Rhodes's *United States*, III, 38–55.

324. Financial Policy, 1857–61. — It seems to be unfortunately true that commercial successes are always followed by periods of great depression. The outburst of activity of Jackson's "reign" was followed by the panic of 1837. Similar causes — too much speculation, too rapid railroad building, too great locking up of capital in mills and factories — brought on a stringency in the money market, which in turn led to a financial crash in 1857. From this the country had scarcely recovered when the Civil War broke out. Many persons, instead of attributing the financial

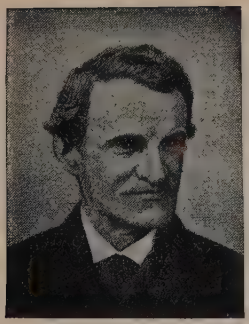
stringency to its true cause, — the great expansion of commercial credit, — believed it to be the result of the government's collecting more revenue than it expended. Congress, therefore, modified the Walker Tariff by reducing duties to a lower point than they had reached since the enactment of the tariff of 1816. This was done in 1857, and for three years thereafter the people lived under a lower tariff than they had done since the War of 1812. The period of depression following the panic of 1857 caused the revenues to fall off, and in 1861 Congress again took the tariff in hand. A bill was introduced by Senator Morrill of Vermont, and passed before the close of Buchanan's term (1861). It changed the *ad valorem* duties of the Walker Tariff to specific duties, and generally increased the rates, especially on iron, and, in addition, laid a tax on wool imported. In 1860 the income of the general government was fifty-five million dollars, and its expenditures ten million more; the national debt at that time was less than sixty-five million dollars. It will be interesting to remember these figures when we come to consider the financial position of the government during the war, and, later, in the great period of material development which followed its close.

Tariff of 1857. Rhodes's *United States*, III, 41–56.

Morrill Tariff, 1861. Rhodes's *United States*, III, 57–59.

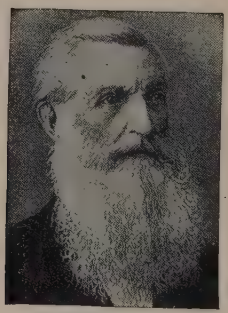
325. Mental Activity. — The increasing fertility in invention came at a time when the people began to change their ideas as to learning and the cultivation of the intellect. Popular lecturers, as Wendell Phillips, Henry Ward Beecher, and John B. Gough, traveled about the country instructing and stimulating thousands of minds through the medium of the "lyceum" system of lectures. Emerson, also, was listened to from the platform, and read with eagerness. Prescott, Bancroft, and Motley were doing their best work, and Francis Parkman had begun his study of "the warfare of the forest," which has since borne such splendid fruit. George Ticknor was bringing the literature of Spain to the notice of his countrymen; Longfellow, Whittier, Lowell, Holmes, and Bryant were all writing. Bryant also edited a newspaper, and Horace Greeley had founded the New York

Mental activity.



F. Parkman

Jared Sparks



Geo. Bancroft

Wm. H. Prescott

Washington Irving

American historians

Tribune, which for a long time exercised a remarkable influence upon the public mind. George William Curtis had begun his career as an essayist, and Hawthorne and Mrs. Stowe were at work creating an American literature of fiction.

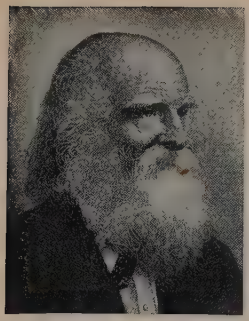
With this mental awakening had come a distinct improvement in private morals, and a remarkable diminution in habits of drunkenness among the people of the North. On the other hand, physical exercise for the purpose of building up the body does not appear to have been at all appreciated, and the bodily health of the Northern people was never at a lower ebb than in 1860. In the South, life was freer, and there was more outdoor exercise; but the food of the Southern people was even more unwholesome than was that of the Northerners. Moreover, apart from politics, there was a complete mental stagnation at the South.

Election of 1860. Schouler's *United States*, V, 454–469; Stanwood's *Elections*, 214–235.

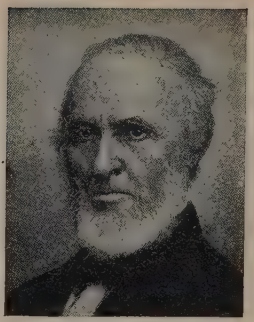
326. Election of 1860. — Up to this time the Democratic party had remained united — at least outwardly. Now, however, the demands put forth by the slave power were more than Northern Democrats could endure. The Democratic National Convention met at Charleston, South Carolina, in April, 1860. The Northern Democrats, with Douglas for their candidate, were willing to accept the Dred Scott opinion, and any decision which the Supreme Court might make as to slavery. The Southerners demanded that the convention should lay down as one of the principles of the party that Congress should assume the protection of slavery in the territories; they also declared that the Northerners must advocate slavery and acknowledge that slavery was morally right — nothing else would satisfy the South. The Northern delegates were in the majority; they adopted the Douglas platform and the Southern men withdrew. The convention then adjourned to Baltimore in the hope that time would bring about a reconciliation. In the end, the Northern Democrats nominated Douglas, and the Southern Democrats Breckinridge.

Split in the Democratic party. Rhodes's *United States*, II, 440.

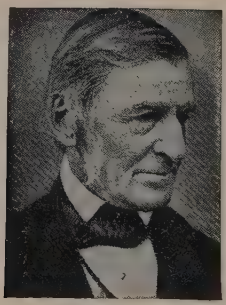
The moderate men of all parties and the remnants



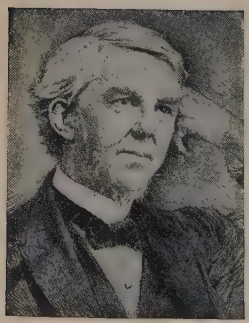
William Cullen Bryant



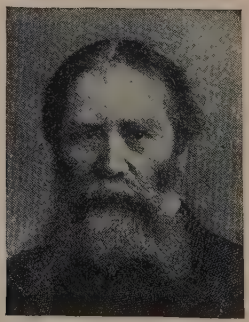
John G. Whittier



R. Waldo Emerson



Oliver Wendell Holmes



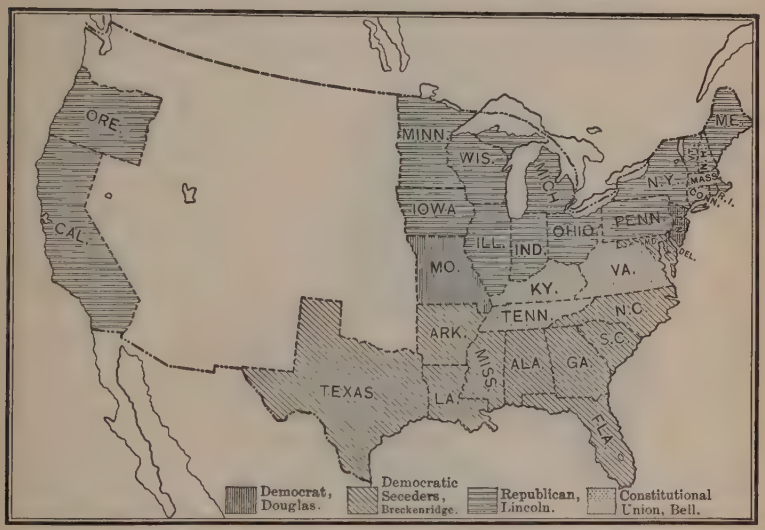
J. R. Lowell

American poets

For portrait of Longfellow see p. 446

of the Know-nothings held a convention, and nominated Governor John Bell of Tennessee for President, as the candidate of what they termed the Constitutional Union party. Constitutional Union party.

The Republicans held their convention at Chicago in May, 1860, and adopted a studiously moderate platform. They denied any intention to interfere with slavery in the states, which in their opinion was a matter for the voters of



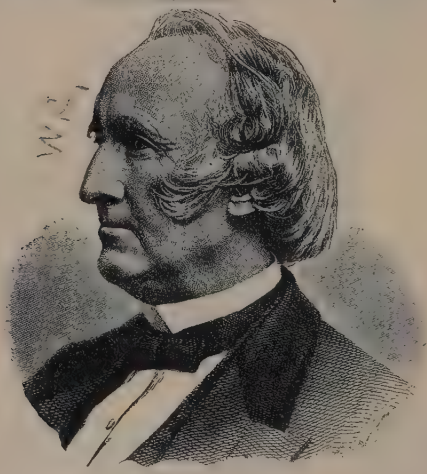
Election of 1860

each state to settle for themselves whenever and as often as they pleased. They demanded, however, that Congress should prohibit slavery in the territories — for them the Dred Scott decision had no validity. They also declared in favor of the protective system and internal improvements at the charge of the general government.

Nomination of Lincoln. Rhodes's *United States*, II, 456.

The selection of a candidate for the presidency proved to be difficult. Seward and Chase were the most prominent leaders in the party; but they had been "too conspicuous," and Seward was regarded as a visionary. Lincoln was com-

paratively unknown; he had few enemies, and was strong in the doubtful Western states which had been carried by the Democrats in 1856. His "availability," to use a modern political phrase, commended him to the delegates; but his nomination was hastened by the transfer to him of the votes of fifty delegates who were pledged to Cameron of Pennsylvania. This transfer was made in consequence of a promise given by Lincoln's friends that Cameron should have a cabinet position; it should, however, be said that this was in opposition to Lincoln's express direction. His nomination was received with some indignation by the abolitionists. "Who is this huckster in politics," demanded Wendell Phillips, who declared that Lincoln was "the slave-hound of Illinois." The Garrisons, in the biography of their father, have declared that "to the country at large he [Lincoln] was an obscure, not to say an unknown man." It is certain that few persons then realized the grandeur of Lincoln's character, his splendid common sense, and his marvelous insight into the real nature of things.



Wendell Phillips

Election of Lincoln, 1860.

The dissensions in the Democratic party, in combination with the growing sentiment in the North against the further extension of slavery, resulted in the election of Lincoln by an overwhelming majority of electoral votes. He polled fewer votes in the country at large, however, than his rivals, and his plurality in several Northern states was very small.

327. Secession Threatened, November, 1860. — Alone of all the states, South Carolina adhered to the undemocratic practice of choosing presidential electors by vote of the legislature, instead of by popular vote, as in every other state. The South Carolina legislature assembled to perform this duty, chose electors pledged to Breckinridge, and remained in session until the result of the election was assured. When it became certain that Lincoln was elected, it passed measures for the military defense of the state, and summoned a state convention to meet on December 17 (1860). To this latter action, it was urged by the governor, who had ascertained that other Southern states would probably cooperate with South Carolina in whatever steps it was deemed advisable to take.

Threats of secession. Schouler's *United States*, V, 469; Rhodes's *United States*, III, 115.

The legislature of Georgia assembled on November 8. In that state there was a good deal of opposition to the plans of the Southern leaders. Alexander H. Stephens, one of the foremost men in the South and long one of Georgia's representatives in the Federal Congress, made a strong speech in opposition, from which a few sentences are here given: "The election of no man, constitutionally chosen to the presidency, is sufficient cause for any state to separate from the Union. Let the fanatics of the North break the Constitution . . . let not the South, let not us, be the ones to commit the aggression." Nevertheless the Georgia legislature followed South Carolina's example and summoned a state convention, as did the legislatures of several other Southern states.

328. Compromise Suggestions. — Congress met on December 8, 1860, and listened to the reading of Buchanan's last message. The President appeared to think that the movements in the South looking towards secession were partly justified by the antislavery agitation in the North — apparently there was something sacred in slavery which placed it on a different ground from a rotten civil service or a protective tariff. The "personal liberty laws" were also mentioned as justifying the attitude of the South. Bucha-

Buchanan's message, 1860. Schouler's *United States*, V, 471; Rhodes's *United States*, III, 125.

nan did not believe with the Southern Democrats that secession was a legal right; on the contrary, he deemed it illegal. He thought, however, that there was no constitutional means whereby the secession of a state could be prevented. A state could not be coerced. It does not seem to have occurred to Buchanan that the Constitution had been expressly constructed to afford the general government the power to coerce individual men who interrupted the due execution of the federal laws. Later on, under the stress of war, the Northern Democrats invented a convenient doctrine that a Northern "sovereign state," as Pennsylvania, might wage war on a Southern "sovereign state," as South Carolina, through the agency of the general government. In his message, the President also suggested the adoption of amendments to the Constitution securing slavery in the states where it existed and in the territories, and compelling the release of fugitive slaves. Buchanan was a Northern man, a Pennsylvanian; but he had been long under the influence of Southern leaders and seems at this time to have fallen in completely with their schemes.

James Buchanan

Crittenden Compromise scheme, 1860. Schouler's *United States*, V, 504;

329. The Crittenden Compromise. — Another and more promising attempt to arrange matters was proposed by Senator John J. Crittenden of Kentucky. He suggested that amendments to the Constitution should be adopted: (1) to secure the fulfillment of the Missouri Compromise; (2) to provide that states should be slave or free as their constitutions should dictate; and (3) to make it the duty

of Congress to secure the return of fugitive slaves to their masters or pay the value of the fugitive to the claimant. Mr. Rhodes thinks that this scheme might have furnished the basis for a compromise, but other writers hardly agree with him. The plan was finally rejected on March 2, 1861, two days before Lincoln's inauguration.

*Rhodes's *United States*, III, 150; Johnston's *Orations*, III, 275–293.

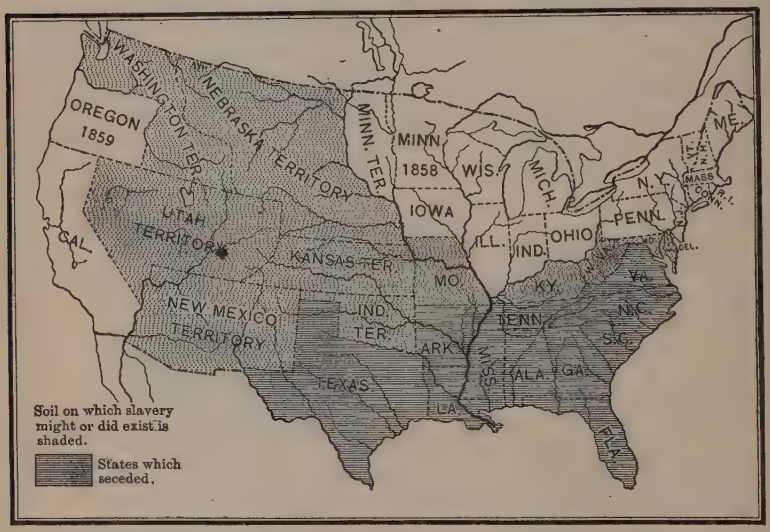
330. Secession of Seven States, 1860–61. — On the day (December 17, 1860) that Senator Crittenden brought forward this conciliatory proposition, the South Carolina convention met at Charleston. "Commissioners" and leading men from other Southern states were present to urge haste, but there was at least one memorial urging delay; it was suppressed. Three days later the convention adopted unanimously an "ordinance to dissolve the Union between the state of South Carolina and other states united with her under the compact entitled 'The Constitution of the United States of America.'" It also adopted a "Declaration of the immediate causes which induce and justify the secession of South Carolina from the Federal Union." Before March, 1861, six other states had joined her: Mississippi (January 9, 1861), Florida (January 10), Alabama (January 11), Georgia (January 19), Louisiana (January 26), and Texas (February 1).

Secession of the cotton states, 1860–61. Schouler's *United States*, V, 488–492; Rhodes's *United States*, III, 196.

Nothing shows more clearly the stagnation of Southern constitutional life than the action of these conventions. They proceeded precisely on the lines of the conventions of the Revolutionary epoch. The democratic spirit of the nineteenth century, which had so profoundly influenced political action in the North, had not produced the least effect in the South. Only one of these ordinances of secession was submitted to the people for ratification, and that one (Texas) only because the election of delegates to her state convention had been so irregular that it could not well be avoided. The conventions which had been elected to consider this question exercised the power of the people of the states which had chosen them, and did many things which probably the majority of the voters had no

thought of authorizing. Spurred on by the political chiefs, the conventions elected delegates to a "constitutional convention," which met at Montgomery, Alabama, February 4, 1861. This convention adopted a provisional constitution for the "Confederate States of America," whose principal business was "to recognize and protect . . . the institution of slavery as it now exists in the Confederate States." The convention also chose Jefferson Davis provisional

Confederate States' Constitution, 1861.



The United States, 1861

president and Alexander H. Stephens provisional vice-president of the Confederacy. Davis had no fear of war, but "if war must come, it must be on Northern and not on Southern soil," he said; "we will carry war where it is easy to advance, where food for the sword and torch awaits our armies in the densely populated cities." On his return to Savannah, Stephens addressed his state compatriots in language whose strange sound shows how completely the South was out of sympathy with modern civilization. The new

Jefferson Davis.

government's foundations are laid, its corner stone rests upon the great truth that the negro is not equal to the white man; that slavery, subordination to the natural race, is his natural and normal condition. This our new government is the first in the history of the world based upon this great physical, philosophical, and moral truth.")

A. H. Stephens. Stedman and Hutchinson, VII, 162; Johnston's *Orations*, IV, 39–50.

331. The Underlying Cause of Secession. — A student who knows nothing from personal experience of the passions and humors of that time finds it difficult to understand why Lincoln's election to the presidency should have impelled the Southerners to stake their prosperity and their institutions on the uncertain issue of civil war. Lincoln had gained a large majority in the electoral college, — one hundred and eighty votes to one hundred and twenty-three for the other three candidates combined. His opponents, however, had received nearly one million more votes than he had obtained. The Republicans would be in a minority in the new House of Representatives, and the Senate would be hostile to them. No possible immediate danger threatened Southern institutions: the Republicans could not have legislated against slavery, had they so desired. It is extremely probable that, had the South remained in the Union, it would have taken years to bring about abolition. The levying of war by the seceded states, and the departure of their representatives and senators from Congress, changed the whole course of affairs, as will appear in a moment.

Measure of the Republican triumph. Johnston's *Orations*, III, 211.

The leaders of opinion in the South thought they saw in the aroused moral sentiment of the North immediate danger to Southern institutions. For years they had held the chief power in the national councils; in the future they would have to take the second place. It is also reasonably certain that they felt the sting of the moral reproach under which they were living, and they must have realized that in the nature of things slavery was doomed to extinction at some future time, though when and by what means it would be brought about, no one could say in 1860.

Fears of Southern leaders.

The mass of the Southern voters, who elected the seces-

sion conventions and agreed to secession, had no thought of permanent separation from the Union when they cast their ballots. They expected to make better terms for themselves out of the Union than could be gained while members of it. Stephens says that it was this argument which brought about the defeat of the Southern moderates in 1860. The step of secession once authorized, the further step of Southern confederation was taken without again obtaining the sense of the voters. It must be admitted, however, that after the conflict was once begun, the Southerners were practically unanimous for its prosecution. No doubt it is true that only three voters in ten were slaveholders, and that only two million whites were supported directly by the forced labor of negroes, but the slaveholders were the leaders of public opinion. They were distinctly in a minority, but the majority followed blindly whither they led.

Rhodes's *United States*, I, 345.

Southern blunders.

332. Southern Blunders. — The slaveholders were in a minority in the South, the Southerners were in a minority in the country as a whole, and the South — economically and physically — was hopelessly inferior to the North. Notwithstanding this, the Southern chiefs seem never to have looked the facts squarely in the face and asked themselves what the cost of failure would be. Perhaps they never deemed failure possible: the Northerners had often yielded to their furious attacks; why should they resist now? Prudent leaders in these circumstances would have done nothing to increase the fighting strength of their opponents; the Southerners did their best to augment it. They formed a new government and waged war on the Union. The withdrawal of their representatives and senators made the Republicans supreme in Congress and gave the President the support of the legislative branch. Their attack on the Union soldiers at once brought the President's "war powers" (p. 246) into operation, and aroused hostile sentiment in the North as nothing else would have done.

In time of peace the President's functions are limited; in time of insurrection and civil war it is difficult to dis-

cern a limit to his authority — except the approval of the mass of the nation. He is obliged to see to it that "the laws are faithfully executed"; he is the commander in chief of the land and naval forces of the United States, and there is no limit to his use of this power. In time of war, too, civil institutions give way to military authority. "So far from it being true," said ex-President Adams in 1842, "that the states where slavery exists have the exclusive management of the subject, not only the President of the United States, but the commander of the army has power to order the universal emancipation." Six years earlier Adams had distinctly warned the slave owners of their danger: "From the instant that your slaveholding states become the theater of war," he said, "from that instant the war powers of the Constitution extend to interference with the institution of slavery in every way." Until 1860 the contest between slavery and freedom had been fought out in the halls of Congress, where the compromises of the Constitution protected the slaveholders at every turn; the conflict was now transferred to the field of battle, where the weaker combatant would have no protection whatever.

The President's "war powers."

333. Apathy of the Northerners. — As soon as secession and confederation were accomplished, the Southerners set to work to possess themselves of the federal property in the South: they seized arsenals and forts without resistance; the administration remained passive or only uttered mild and unheeded protests. In this Buchanan and his advisers but echoed the general feeling in the North. "Let the erring sisters depart in peace" was heard on every side. On February 23, 1861, Horace Greeley wrote in the New York *Tribune* that if the cotton states "choose to form an independent nation, they have a clear moral right so to do," and very many Republican journals agreed with him. Even as late as April 9 Wendell Phillips said from the lecture platform: the Southern states "think that their peculiar institutions require that they should have a separate government. They have a right to decide that question without

Apathy of the Northerners. Morse's *Lincoln*, I, 190.

appealing to you or me. . . . Abraham Lincoln has no right to a soldier in Fort Sumter." For a long time General Dix's famous telegram, "If any one attempts to haul down the American flag, shoot him on the spot," remained the only indication of a fighting spirit in leading circles of the government.

Albany conference.

While the tide of secession was at its height in the South, a convention met at Albany. It was composed of conservative men of all shades of political opinion, and was in the hands of those who believed coercion to be revolutionary. Later, in February, a peace conference was held at Washington. It urged on Congress the adoption of the Crittenden Compromise or of some similar plan. The march of events was too rapid for compromise; the Southerners relied too implicitly on their own enthusiasm and on the lack of spirit displayed by the men of the North.

The "War Governors." Andrew's Message of January, 1861, is in *Old South Leaflets*, II, No. 8.

During this time of hesitation, the Republican current was still running strongly in the North. In January, 1861, many Republican governors were sworn into office — some of whom continued to occupy their positions during the conflict, or the greater part of it; they are known familiarly as the "war governors." To them the country owes the greatest debt. Recognizing the gravity of the crisis, some of them energetically set to work to prepare their states for war. For example, Andrew and Buckingham ordered large quantities of arms and military equipments. When the decisive moment came, they were able to send their state troops to the front within a day or two of the fall of Fort Sumter.

SUGGESTIVE QUESTIONS AND TOPICS

As preparation for this chapter, trace the constitutional, economic, and social development of the nation by making continuous summary of portions of text underlined with identical colors; make continuous recitations from note-book on Slavery, Particularism, and Nationalism; review the Three Compromises of the Constitution, and trace the results of each from 1789 to 1861.

§§ 319–326. The United States in 1860

a. Trace the history of the policy of compromise which had marked the political history of the country since 1775. What was the effect upon the slave owners; upon the self-respect of the Northerners; upon national spirit? Which group — the Northerners, the Southerners, or the slave owners — do you respect the most? Is there any group of people during this time which wholly commands your respect? Give reasons for answer to each part of this question.

b. Explain fully how immigration aided in the preservation of the Union.

c. Study the maps showing density of population, and arrange the population of the several sections by states. What states and cities are referred to in the last lines of the first paragraph of p. 485? Make other similar comparisons.

d. Explain fully the effect of the grants of public lands upon railroad development.

e. Trace the history of cotton raising from 1784 to 1890. What was the largest crop of cotton raised by slave labor; by free labor?

f. Study the lives of the men whose names are given in § 326.

§ 327. Election of 1860

a. Precisely what was the cause of the split in the Democratic party?

b. Why was Lincoln nominated? Had you been a member of the Chicago Convention, how would you have voted?

c. Bring to class a digest of the Republican platform of 1860, and discuss its principal features.

§§ 328–332. Secession

a. Was the South wholly wrong in the struggle which culminated in secession? Upon the basis of a strict construction of the Constitution, did the South demand more than the Constitution justified? Prove your statements.

b. Summarize the compromise efforts of 1860–61. If you had been in the Senate in 1861, how would you have voted on the Crittenden Compromise, and why?

c. Secession: describe carefully the course of South Carolina; did all the cotton states actually secede? Explain carefully the difference of interests between the cotton states and the border states.

§§ 333, 334. The North and the South

a. Look up and describe the President's "war powers."

b. How do you account for the apathy of the Northerners in the

winter of 1860–61? Explain conditions in the South which made it possible for a small minority of slave owners to dominate public opinion.

c. Upon what grounds could Phillips base his assertion that "Lincoln has no right to a soldier in Fort Sumter"?

Historical Geography

Represent in colors upon an Outline Map: (1) free soil, (2) slave soil, (3) states which cast their vote for Douglas or for Bell, (4) states which seceded before April, 1861, (5) states which seceded after that time.

General Questions

a. Represent upon a chart the origin and history of political parties from 1824 to 1860.

b. What entries under headings already in note-book must you make? What new headings does this chapter suggest?

Topics for Investigation by Individual Students

(See note under this head on p. 48.)

a. Tabulate the electoral vote of 1860, and compare it with that of 1856 and of 1896.

b. Summarize Senator Crittenden's argument (473, last reference of first group).

c. Compare Buchanan's and Andrew's messages (478, last reference).

CHAPTER XIII

THE CIVIL WAR, 1861–1865

Books for Consultation

General Readings. — Dodge's *Bird's-Eye View of our Civil War* (should be read by all students); Wilson's *Division and Reunion*, 216–252; Johnston's *American Politics*, 197–206.

Special Accounts. — Ropes's *Story of the Civil War;* Rhodes's *United States;* Morse's *Lincoln* (S. S.); *Stephens's *War between the States;* *Davis's *Confederate States; Battles and Leaders of the Civil War;* Swinton's *Twelve Decisive Battles;* Boynton's *The Navy during the Rebellion;* *Greeley's *American Conflict;* Mahan's *Farragut.* Biographies of the leading statesmen and generals, *Guide*, § 25.

Sources. — *American History Leaflets; Old South Leaflets;* Johnston's *American Orations;* Nicolay and Hay, *Abraham Lincoln;* McPherson's *History of the Rebellion;* Grant's *Memoirs;* Sherman's *Memoirs;* Moore's *Rebellion Record.* Writings of the leading statesmen and generals, *Guide*, §§ 32, 33.

Maps. — Dodge's *Bird's-Eye View.*

Bibliography. — Channing and Hart, *Guide to American History*, §§ 56 a, 56 b (General Readings), §§ 208–214 (Topics and References).

Illustrative Material. — Scribner's *Campaigns of the Civil War;* Herndon's *Lincoln;* Thurlow Weed's *Autobiography;* McCulloch's *Men and Measures;* Greeley's *Recollections; The Sherman Letters;* Eggleston's *A Rebel's Recollections;* Jones's *A Rebel War Clerk's Diary;* Harper's *Pictorial History;* Garrisons' *Garrison*, Lowell's *Commemoration Ode, Biglow Papers*, Second Series, and *Political Essays;* Whittier's *Anti-slavery Poems, Barbara Frietchie*, etc.; Moore's *Songs and Ballads of the Southern People;* Roe's *An Original Belle* and other stories; Coffin's *Winning his Way;* Harris's *On the Plantation;* Page's *Among the Camps;* Mitchell's *In War Time* and *Roland Blake;* Soley's *Sailor Boys of '61;* Stedman's *Occasional Poems;* Cable's *Strange True Stories of Louisiana;* Cooke's *Hilt to Hilt* and other stories; Trowbridge's *Drummer Boy* and other stories; Hapgood's *Abraham Lincoln.*

THE CIVIL WAR, 1861–1865

Abraham Lincoln. Morse's *Lincoln* (S. S.); Rhodes's *United States*, II, 308.

334. Lincoln's Policy, 1861. — Abraham Lincoln admirably represented that which was best in American life. Under every disadvantage of birth and breeding, he raised himself by his own exertions to the level of the best statesmen of the day. His sincerity, his straightforwardness, his keen perception of right and wrong, were all enforced by a sense of humor and a kindliness of bearing that endeared him to all with whom he came in contact.

Lincoln's first inaugural, 1861. *American History Leaflets*, No. 18; Johnston's *Orations*, IV, 16–31.

On the fourth day of March, 1861, Lincoln entered upon the discharge of his duties as chief magistrate of the United States. In his inaugural address he stated the broad lines of the policy he intended to pursue. He began by declaring that he had "no purpose, directly or indirectly, to interfere with the institution of slavery in the states where it exists. . . . I have no inclination to do so." He held that in contemplation of universal law and of the Constitution, the Union of these states is perpetual, and he maintained that "the Union is much older than the Constitution." It followed from these premises, only partly set forth above, "that no state upon its own mere motion can lawfully get out of the Union; that resolves and ordinances to that effect are legally void."

"I therefore consider that, in view of the Constitution and the laws, the Union is unbroken; and to the extent of my ability I shall take care, as the Constitution itself expressly enjoins upon me, that the laws of the Union be faithfully executed in all the states. . . . In doing this there needs be no bloodshed or violence; and there shall be none, unless it be enforced upon the national authority." Lincoln believed that if the laws were enforced in the South wherever they could be executed without resort to arms, and if the mail service were regularly carried on, the Southern people would gradually come to their senses and repeal the ordinances of secession. At all events, he was determined that, while there should be no more trifling with the idea of

state sovereignty, the Southerners should be the aggressors if there must be aggression. He stated further, after a consideration of secession from the constitutional standpoint, that he understood a proposed amendment to the Constitution had passed Congress "to the effect that the Federal Government shall never interfere with the domestic institutions of the states, including that of persons held to service." As to such an amendment he declared that he had "no objection to its being made express and irrevocable. . . . In your hands, my dissatisfied fellow-countrymen, and not in mine, is the momentous issue of civil war. The government will not assail you. You can have no conflict without being yourselves the aggressors. You have no oath registered in heaven to destroy the government, while I shall have the most solemn one to preserve, protect, and defend it."

Lincoln's cabinet.

335. Lincoln's Advisers. — The new President gathered about him an able set of advisers. His three rivals for the Republican nomination, Seward, Chase, and Cameron, became the heads of the State Department, the Treasury, and the War Department respectively. Seward maintained his place during the war; but Chase was later appointed Chief Justice, and Cameron was displaced at the War Department in 1862 by Edwin M. Stanton, who continued to exercise the office of Secretary of War until after the close of the conflict. Gideon Welles of Connecticut was made Secretary of the Navy, and was ably seconded by Gustavus Vasa Fox, the Assistant Secretary.

Lincoln and Seward.

At the beginning of his administration, Lincoln was still unfamiliar to those about him. Seward, Chase, and Cameron had long occupied leading positions at Washington, and no doubt felt somewhat uneasy in the position of advisers to their successful rival. Seward, at all events, regarded himself as the real head of the government, and proceeded to instruct Lincoln as to the policy to be pursued by the administration. The Secretary of State sketched out a bold plan of foreign aggression, quite unmindful of the moral obligations of the nation. In this way he hoped to reunite the

two sections of the Union by thrusting the slavery dispute to one side. He also conferred with several Southerners who styled themselves "Commissioners from the Government of the Confederate States." Lincoln quietly set Seward in his proper place, and did it in a manner that showed his own capacity to manage affairs and his ability to handle men. During the whole course of the conflict, Lincoln exercised personally the great powers conferred on him — although he always asked the advice of the cabinet on important matters.

Fall of Fort Sumter, April, 1861. *Battles and Leaders*, I, 40, 83; Rhodes's *United States*, III, 357.

336. Uprising of the People, April, 1861. — When Lincoln assumed charge of the government, only three or four military posts in the seceded states remained in federal hands. The most important were Fort Pickens, on the Florida coast, and Fort Sumter, in Charleston harbor. An attempt was made to reinforce the garrison of the former, but the officer in command of the vessel containing the soldiers refused to land them. To hold Fort Sumter in the face of the gathering opposition to the federal government was plainly impossible. The administration, however, determined to supply the garrison with provisions, and notified the governor of South Carolina of its intention. On April 12 the Southern guns opened on the fort, which surrendered April 14. Not a man had been injured, but the little garrison had been overcome by hunger and hardships. Great was the rejoicing at Charleston; at last the flag of the United States had been "humbled before the glorious little state of South Carolina," said the governor of that state.

Lincoln's Proclamation.

The next day, April 15, 1861, President Lincoln issued a proclamation calling for seventy-five thousand volunteers. The document was most admirably written, as were all of Lincoln's state papers, and contains the best statement of the points in dispute from a Northern standpoint.

"The laws of the United States," said the President, "have been for some time past, and now are opposed, and the execution thereof obstructed, in the states of South

Carolina, Georgia, Alabama, Florida, Mississippi, Louisiana, and Texas, by combinations too powerful to be suppressed by the ordinary course of judicial proceedings.

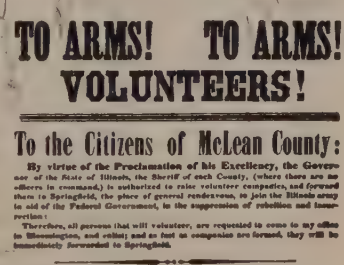
"Now, therefore, I, Abraham Lincoln, President of the United States, in virtue of the power in me vested by the Constitution and the laws, have thought fit to call forth, and hereby do call forth, the militia of the several states of the Union to the aggregate number of seventy-five thousand, in order to suppress said combinations, and to cause the laws to be duly executed.

* * * * * * *

"And I hereby command the persons composing the said combinations aforesaid to disperse and retire peaceably to their respective abodes, within twenty days from this date."

Rising of the North. *Battles and Leaders*, I, 84.

Now at once appeared the results of Southern blunders. By their own acts, they had transferred the contest from the slavery question, upon which the Northerners were not agreed, to the ground of the preservation of the Union, upon which the Northern people were of one mind. Hundreds of thousands of men in the North and in the "border states" cared nothing for the struggle over slavery. They saw no reason why a Southerner should not carry his slaves where he wished without danger of losing them. The instant that the Southerners under another flag attacked the United States, their sympathies changed. Even the leading Northern Democrats could not bear this insult to the Union government. The Democratic ex-Presidents Franklin Pierce and James Buchanan



TO ARMS! TO ARMS!
VOLUNTEERS!

To the Citizens of McLean County:

By virtue of the Proclamation of his Excellency, the Governor of the State of Illinois, the Sheriff of each County, (where there are no officers in command,) is authorized to raise volunteer companies, and forward them to Springfield, the place of general rendezvous, to join the Illinois army in aid of the Federal Government, in the suppression of rebellion and insurrection:

Therefore, all persons that will volunteer, are requested to come to my office in Bloomington, and enlist; and as fast as companies are formed, they will be immediately forwarded to Springfield.

Each Company to consist of

One Captain, Four Sergeants, Two Buglers,
First and 2d Lieutenants, Four Corporals, Eight Privates,

Each Company to elect their own Officers.

One Company has already been raised in Bloomington, and I hope to be able to raise one or two companies more in McLean County.

OUR COUNTRY CALLS!

Let every Patriot that can leave his home and business for a time, promptly obey that call. I further propose that everybody meet in Bloomington, on MONDAY, 22d inst., at 12 o'clock, to aid and counsel in the aforesaid object.

JOHN L. ROUTT,
SHERIFF OF McLEAN COUNTY.

Bloomington, April 15, 1861.

"came out for the Union," and Douglas promised Lincoln his heartiest support. These facts, telegraphed throughout the country, turned many a doubting mind. Nobly Douglas redeemed his pledge: the remaining weeks of his life he traveled through the Northwest, arousing by his eloquence the people there to rally to the support of the Union.

Rising of the South.

In the South, even greater unanimity was displayed. The federal government at last was about to coerce a state, and to the Southerners' minds, filled with the doctrines of Calhoun, this seemed to be an attack on the rights of self-government dear to every man of English blood.

The "Border states," 1861.

337. The "Border States," 1861. — Between the free states of the North and the slave states of the cotton belt which had already seceded (p. 473), there stretched two tiers of slave states, the more southern of which — Virginia, North Carolina, Tennessee, and Arkansas — soon cast in their lot with secession (April to May, 1861). Only one of the border slave states, Delaware, unreservedly joined the North. In two others, Maryland and Kentucky, the politicians endeavored to set on foot a policy of neutrality which would have been very advantageous to the South; but the Union men were strong in both of them, and with encouragement from the government managed to maintain their states on the side of the North. The people of western Virginia had no sympathy with the secessionists of the eastern part of that state; they held a convention of their own and, with the help of a small federal army, seceded from Virginia, and later on (1863) were admitted to the Union as the state of West Virginia, although not without straining a point of constitutional interpretation.

Missouri.

In Missouri, the contest was for some time doubtful: the old native element was strongly in favor of secession, but a large body of more recent comers, mainly Germans, were as heartily in favor of the Union cause. Fortunately, there were two men in the state able and willing to use whatever power they had for the Union. These were Francis P. Blair and Captain Nathaniel Lyon, the commander of the United

States arsenal at St. Louis. They acted with such promptitude and with so much skill that the state was saved for the Union, although not without a prolonged struggle in which Lyon lost his life. It was not, however, until after the defeat of the Confederates at Pea Ridge in March, 1862, that the question of the control of the state was definitely settled in favor of the North.

Strength of the combatants.

338. Military Strength of the North and South. — The preservation of the northern border states to the cause of freedom and union, and the secession of West Virginia from Virginia, reduced the area to be conquered, and greatly weakened the power of those in rebellion against the federal authorities. The slave states, all told, contained twelve million inhabitants; the states which seceded contained less than nine millions. Of these only five and one half millions were whites, in comparison with a white population in the loyal states of twenty-two millions. There were but two million eight hundred thousand adult white males in the Confederate states, and the federal government had on its muster rolls more than one million men in May, 1865. How, then, did it happen that the secessionists were not crushed at the outset? Why did the contest endure for four years?

Policy of the Southern government.

In the first place, the whole population of the seceded states was utilized for war. The able-bodied men were forced into the ranks at first by the violence of public opinion and later by a merciless conscription law. The old men, the women, and the children remained at home with the bulk of the slaves, and bent all their energies to providing the soldiers with food and supplies. But as the men were killed or kept in Northern prisons, there were no more to take their places in the fighting line. As state after state was conquered, the resources of the Confederate government visibly diminished, and as the blockade became more effective, the supplies of the necessities of modern warfare failed. The Southerners over-exerted themselves at the outset; in the beginning they presented a stern front to "the invader";

in the end they collapsed as no other conquered people have done in modern times.

Policy of the Northern government.

Far otherwise was it with the Northerners. Unused to arms but more accustomed to the management of great business enterprises, the Northern statesmen, when the departure of the Southerners from Congress finally gave them the control of the government, set about conquering the seceders with one hand, while they built up the industries of the North with the other. Long lines of new railroads opened up vast regions to settlement, a most liberal homestead law attracted migration to these new lands, and a high protective tariff enormously stimulated manufacturing enterprises. The North grew stronger in resources every year; every year there was a greater population from which to recruit the armies; every year there was a greater fund from which to draw revenue for the support of the war. The North was immeasurably better equipped for battle in 1865 than in 1861; but this vast industrial expansion absorbed the energies of a large portion of the adult male population.

Strength of the contending armies. Dodge's *View*, 116–121, 322–324.

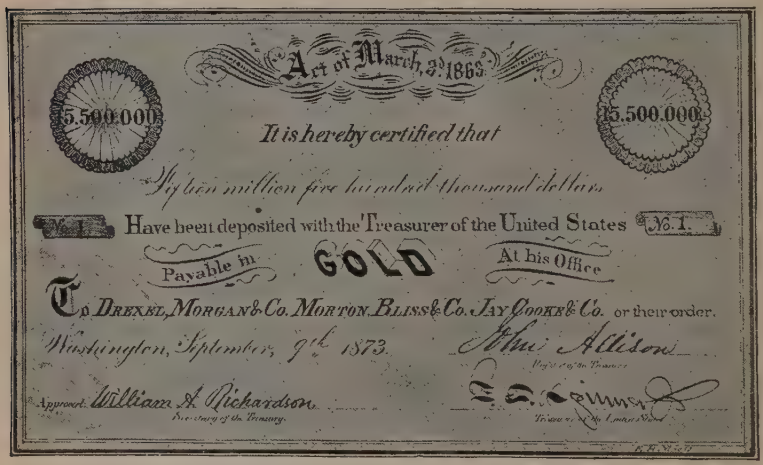
339. **Numbers.** — Colonel Theodore Ayrault Dodge, in the concluding chapter of his very interesting sketch of the Civil War, gives some statistics from which it appears that the Union soldiers were always more numerous than their opponents — at least on paper. For example, on the first day of July, 1861, the Union armies numbered one hundred and eighty-six thousand soldiers to some one hundred thousand on the other side. The Confederate soldiers in January, 1864, numbered nearly five hundred thousand. At that time there were about eight hundred and sixty thousand on the rolls of the Union army. Thenceforward the superiority of the Unionists constantly increased until in January, 1865, they outnumbered the secessionists two to one. As will be seen later on, whenever the figures are given, it will be found that the Union soldiers taking part in any one campaign or battle outnumbered the Southerners, and this was the case in other engagements which are not recorded here or whose numbers are not given. It is true,

therefore, that according to the only records that are preserved, the Northern soldiers outnumbered their opponents whether taken as a whole, or considered in portions by campaigns or battles. There are few things, however, so unreliable as statistics, and these figures especially must always be regarded with the greatest caution. The Union soldiers performed many services which in the Southern armies were discharged by slaves or not at all. For example, the Northern soldiers drove the supply trains, acted as servants, and constructed defensive works, all of which duties were performed by negroes for the Southerners. It probably would not be far from the truth to say that, until the last year of the war, the number of soldiers actually equipped and ready to take their places in the fighting line was about the same on both sides. The Confederates, also, by reason of their better knowledge of the country, their superior marching qualities, and their shorter interior lines, were able to reinforce their armies at the most important points with greater ease and speed than the Union authorities could. It was not until 1864 that the Union forces were really superior in numbers at all points.

Northern finances, 1861–65.

340. Northern Finances, 1861–65. — During the closing months of Buchanan's administration the federal government had become nearly bankrupt and had been able to fulfill its obligations only by means of loans at very high rates of interest. No sooner was the war begun than great pressure was felt not only by the general government but by the state governments, the municipalities, and financial institutions in general. Before the close of 1861 the banks everywhere suspended specie payments. Temporary expedients tided the government over the first months of the war. Congress assembled on July 4, 1861. It at once authorized a loan and raised the import duties. The Morrill Tariff (p. 465), passed in 1860, before the war was thought of, became the basis of new taxation, and from this time until the close of the conflict, not a session of Congress went by without some increase of the duties on im-

ports. The most important of these measures will be noted later. In February, 1862, Congress authorized the issue of one hundred and fifty million dollars of paper money and made them legal tender in payment of debts. Before the end of 1863, the amount was increased to four hundred and fifty millions. The premium on gold at once began to rise; in 1863 it reached one hundred and seventy per cent, and in 1864 touched the highest mark, two hundred and eighty-five per cent. Prices and rents, of course, at once rose, and at the end of the contest were nearly ninety per cent


Act of March 3d 1863
5.500.000
It is hereby certified that
Fifteen million five hundred thousand dollars
Have been deposited with the Treasurer of the United States
No. 1.
Payable in
GOLD
At his Office
To Drexel, Morgan & Co. Morton, Bliss & Co. Jay Cooke & Co. or their order.
Washington, September 9th 1873.
Approved: William A. Richardson
Secretary of the Treasury.
Register of the Treasury.
Treasurer of the United States.

higher than in 1861. Wages and salaries rose also, but not in a corresponding degree — not more than sixty per cent. From these facts it can easily be seen that the real cost of the war fell most heavily on the poorer classes — on those who had nothing to sell save their labor. This, indeed, is the invariable effect produced by inflation of the currency medium. Another source of funds to which the government had frequent recourse was the issue of bonds at high rates of interest to be paid for in the government's own depreciated currency. In all, the government incurred a

debt of the face value of two thousand eight hundred and fifty millions of dollars, or, including the outstanding paper currency or greenbacks, over three billion dollars.

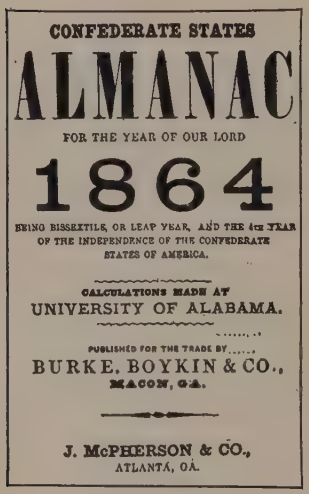
National banks.

341. The National Banking System. — As the contest deepened, it became more and more difficult to sell these bonds, no matter what the rate of interest or the amount of depreciation of the currency which could be paid for them; the people had so little confidence in the stability of the government that they were not willing to lend money on any terms. Subscriptions to bonds fell off and a new expedient to dispose of them was invented. This was the national banking system, based on the New York state banking system. The first law on the subject was passed in February, 1863, and provided that any five or more persons with a minimum capital of one hundred thousand dollars — in very small places even less — might organize a national bank on depositing with the government United States bonds to the amount of one third of their capital. In exchange for these bonds, the government issued to the depositing bank notes redeemable in greenbacks to the amount of ninety per cent of the value of the bonds deposited. A market for the bonds of the United States would be thus obtained, and a stable currency provided for the country. At first the response to this offer was not encouraging, but in March, 1864, Congress laid a tax of ten per cent on the circulation of the state banks, and they at once complied with the provisions of the act of 1863 and became national banks.

Taxation.

342. Increased Taxation. — Irredeemable paper currency and bonds, even when helped by the national bank act, did not meet the needs of the government. In 1862 the source of revenue which had been discarded by Jefferson was again brought into use: by the Internal Revenue Act of that year Congress established a comprehensive scheme of excise taxation: specific taxes were imposed on the production of iron and steel, coal oil, paper, leather, and countless other manufactured articles, and a general *ad*

valorem tax on all manufactures not included in this category; licenses were required in many callings, and a general income tax was imposed; and steamboat, railroad, and express companies were also required to pay taxes on their gross receipts. Such a system of heavy taxes on goods manufactured in the country would have destroyed the protective nature of the tariff; it was necessary, therefore, to raise the duties levied on imports correspondingly. In 1864 the internal revenue system was enormously extended, and in connection with it another tariff act was passed which raised the duties on the protected articles out of all proportion to the new internal revenue taxes. The last act was passed after only five days' discussion, owing to the pressure of urgent need. It substantially remained in force for twenty years, although the high internal taxes which justified the high rates on protected goods were, meantime, largely lowered or entirely abolished.


CONFEDERATE STATES

ALMANAC

FOR THE YEAR OF OUR LORD

1864

BEING BISSEXTILE, OR LEAP YEAR, AND THE 4TH YEAR OF THE INDEPENDENCE OF THE CONFEDERATE STATES OF AMERICA.

CALCULATIONS MADE AT
UNIVERSITY OF ALABAMA.

PUBLISHED FOR THE TRADE BY.....
BURKE, BOYKIN & CO.,
MACON, GA.

J. McPHERSON & CO.,
ATLANTA, GA.

Southern finances, 1861–65.

343. Southern Finances, 1861–65. — The ever-strengthening flood of industry in the North made it possible to raise large amounts by taxation, and, in combination with the success of the Northern armies after 1863, gave a basis for credit upon which to float large issues of bonds. The South had no similar resources. There was slight commercial activity in the seceded states during peaceful times, and almost no industry save the cultivation and exportation of large crops of cotton and tobacco. The Northern blockade of Southern ports effectually stopped this export trade, and put an end to the inflow of goods needed in everyday life.

The Southern government was unable to raise any large amounts of revenue by taxation; it necessarily had resort to loans and to irredeemable paper money. The bonds were issued at ruinous rates of interest; but no rates of interest could procure buyers in a country where there was no capital seeking investment. This source of income was soon exhausted, and the Confederate government began the issue of treasury notes, redeemable six months "after the close of the war." Before long, as the Union armies seized state after state, these notes depreciated. Then the Confederate Congress authorized the seizure of food for the army at rates to be fixed every sixty days; these supplies were paid for in bonds or treasury notes. As the war progressed, the depreciation of the treasury notes made them almost worthless. Wages and salaries rose slowly, but not at all in proportion to the rise in the prices of food and clothing. The sufferings of those Southerners who neither lived on their plantations nor served in the armies are almost beyond description. Nothing contributed more to bring about this wrecking of the life of the Southern people than the closure of their ports by the Northern cruisers.

The blockade. Dodge's *View*, ch. viii.

344. The Blockade. — On April 19, 1861, President Lincoln proclaimed a blockade of the ports of the seceded states. At the moment, there were few vessels available for the patrol of the three thousand miles of Confederate seaboard. Before long, gunboats were improvised from coasting steamers, and even ferryboats were pressed into the service, while new war ships were built as rapidly as Northern shipyards could turn them out. Soon, the federal forces occupied important seaports, as New Orleans, and long stretches of coast, as the sounds of North Carolina. Month by month the blockade became stricter and stricter, until finally, after the fall of Mobile in 1864, Wilmington, North Carolina, was the only port accessible in any degree to blockade runners. These were mostly British vessels, owned and manned by British men. The blockade runners took on board their cargoes at Nassau, New Providence, one of the

Mobile. Maclay's *Navy*, II, 445–504.

Bahama Islands. The goods were brought to that place from Great Britain in ordinary merchant vessels. The story of many of these blockading vessels and of their fearless commanders is most thrilling, and shows to what extent men will peril their lives for gain. As the blockade became harder and harder to evade, the profits of the successful blockade runner grew larger. In the last year of the war, insurance on the vessels rose nine hundred per cent over the rates of 1861, and captains' wages increased from thirty pounds to one thousand pounds sterling per month.

Effects of the blockade on the South.

Blockade running, however romantic its story may be, was a purely business venture. Rates of freight were enormous, — one hundred pounds sterling per ton. Of course useful, but bulky and cheap, goods could not be carried at this figure. The blockade runner's cargo consisted of small expensive articles, whose importation worked harm to the Confederacy. The Southern government endeavored to prevent this by forbidding the importation of luxuries, by fixing a maximum price on certain articles and by reserving for its own use one half of the freight space on every blockade runner, at less than the ruling rates of freight. These measures reduced the profits of blockade running, decreased the number of vessels in that dangerous business, and thus greatly assisted the Northern government in its endeavor to cut off the people of the Southern states from intercourse with the outer world. A few examples will serve to show how well the Union government succeeded in that endeavor. In 1860 two hundred million dollars' worth of cotton was exported; in 1863 four million dollars' worth; toward the end of 1864, a pound of Sea Island cotton could be bought for four cents at Charleston and sold for two dollars and fifty cents at Liverpool. A ton of salt could be bought at Nassau for seven dollars and fifty cents, and sold at Richmond for seventeen hundred dollars in gold; a ton of coffee cost two hundred and forty dollars at Nassau, and five thousand five hundred dollars in gold at Richmond; finally, a bottle of brandy could be obtained at Liverpool

for seventy-five cents, and sold for twenty-five dollars in gold at Richmond.

Topography of the theater of war.

345. Characteristics of the Conflict. — The war was mainly defensive on the side of the seceders, offensive on that of the Union soldiers. It is true that Southern armies occasionally invaded the loyal states; but they never advanced far, and were soon obliged to retire. The Northerners, on the other hand, undertook the conquest of the South and therefore were the attackers. Most writers on the art of war agree that defensive is easier than offensive warfare. Other writers are inclined to doubt the accuracy of this view, or, at all events, to maintain that the matter has been greatly overstated. They argue, for instance, that the invader can to a great extent choose his own time and place; he also can concentrate, while the defender is obliged to maintain many posts and be prepared to dispute several roads and passes by which the attacker can penetrate into the heart of the attacked country. In the Civil War, whatever the case may have been as to other wars, the advantage lay very greatly on the side of the defenders. The Alleghany Mountains and the Mississippi River cut the theater of war into three great sections; deep and numerous streams flowing eastward and westward from the Alleghanies constantly impeded the march of the Northern armies. On the other hand, the conquest of the states between the Alleghanies and the Mississippi would have been vastly more difficult had it not been for the water communication afforded by many of these streams, which was utilized to the utmost. Overland marching, however, was very difficult in the South: the railroads were few in number, but they were always repaired and used to the fullest extent. The land itself was thinly settled, and frequently covered by vast forests through which led poor "dirt" roads, impassable for artillery and army trains in wet weather. These stretches of wilderness were penetrated by numberless unused roads known only to the few inhabitants of the vicinity, whose sympathies were almost entirely on the side of the Southerners. These

conditions were in favor of the defenders throughout the South, but more especially in the region fought over by the armies defending the political capitals of the combatants, — Washington on the Potomac and Richmond on the James. The Northern armies were probably better fed, clothed, and equipped than any army had been before 1860. Their very wealth hindered their movements in a region so poorly provided with roads as the South. On the other hand, the Southern soldiers seldom had much in the way of clothing or food to delay their movements. It was not until 1864 that the two armies can be said to have been on a footing of equality in this regard, and this was then gained by cutting down the impedimenta of the Northern armies to the smallest possible point consistent with continued efficiency.

Defense of Washington.

346. Defense of Washington, 1861. — Lincoln's proclamation calling for troops was issued on April 15; three days later a body of Pennsylvania militia reached Washington — most of them without arms. The next day, April 19, 1861, — the anniversary of Lexington and Concord, — the Sixth Massachusetts Regiment, hurrying to the protection of the capital, was attacked by a mob while marching through the streets of Baltimore, and several men were killed and wounded. Other troops made their way to Washington through Annapolis. Soon their numbers became so formidable that the disloyal element in Maryland was overawed, and the route through Baltimore permanently secured.

For four years Virginia was the battle ground of the two armies, — the one, the Army of the Potomac, defending Washington, and endeavoring to conquer Virginia and to capture Richmond; the other, the Army of Northern Virginia, endeavoring to defend Virginia and Richmond, to attack Washington, and to invade Maryland and Pennsylvania. The scene of the conflict in the East was mainly in Virginia, and a knowledge of the topography of that state is essential to an understanding of the nature of the contest and the difficult task which taxed the resources of the invading army.

Topography of Virginia.

347. Theater of War in Virginia. — Parallel to the Alleghany system, and east of it, rises a lower mountain range known as the Blue Ridge. Between it and the mass of the Alleghanies flows the Shenandoah River. Its course is generally northward, and it joins the Potomac at Harper's Ferry. The northern part of the valley is again divided into two valleys by a mountain mass through which a few roads run. This peculiar shape of the Shenandoah valley made it possible for a body of troops to defend itself against double or treble its own number, since, instead of retreating southward, it could retire northward around the other side of the mountain, as one boy sometimes escapes another by running around a table. In this case, the Confederate, by retreating, might really place himself nearer Washington than he was in the beginning. Harper's Ferry was commanded by the mountains surrounding it, and could be defended only by a very large force perched on these heights. The Potomac forms the northern boundary of Virginia, which is intersected by numerous large rivers having their sources in the Blue Ridge, and flowing parallel to the Potomac in a general easterly direction. The most northerly of these subsidiary streams is the Rappahannock, which at several places, as at Fredericksburg, approaches to within a few miles of the Potomac. The main branch of the Rappahannock is the Rapidan. South of these rivers, not far from their confluence, is a stretch of sparsely settled country known as the Wilderness ; it contains several hamlets, among others, Spottsylvania and Chancellorsville. Another important stream is the York, formed by the junction of the Mattapony and Pamunkey. To the southward is the James, on which Richmond is situated. Between the York and the James flows the Chickahominy, which empties into the James. Another important branch of the latter stream, for the student of these campaigns, is the Appomattox. It flows into the James to the northward of Petersburg, which stands on rising ground some little distance back from the latter river, and to the south of it.

Railroads were not plentiful in Virginia. There was one line, however, which ran southward from the Potomac, nearly parallel to the Blue Ridge; at Manassas Junction, near a little stream called Bull Run, a branch joined it from the west, which communicated with the Shenandoah valley through Manassas Gap. There were of course many subordinate rivers and mountains, as well as "gaps" or passes, which are not mentioned here; there were also other railroads. The most important have been noted, and enough information given to enable the student to understand the strategy of the Virginia campaigns.

First battle of Bull Run, July, 1861. *Battles and Leaders*, I, 167; Dodge's *View*, ch. iv.

348. The Bull Run Campaign, 1861. — The first object of the Union government was the defense of Washington; this required the possession of the Shenandoah valley and of the line of the Rappahannock. The Confederates hoped to prevent the former and to push the Union soldiers back to the Potomac. The control of the Manassas Gap Railroad was of supreme importance to both combatants, as its possessor would be able to reinforce his troops in the valley or on the Rappahannock with ease and speed. Manassas Junction, where this railroad joined the line from Washington to Lynchburg, was the key to the situation. McDowell, the Union commander, advanced southward from Washington to drive the Southerners back from the Manassas Gap Railroad; General Patterson, with another force, advanced up the valley to prevent the Confederates there from going to the aid of their comrades at Manassas Junction. At the critical moment Patterson did not attack, and set free his opponent, Joseph E. Johnston, who put his men on the railroad cars and transported them to Bull Run. This stream, a branch of the Potomac, protected the Confederate front. McDowell attacked vigorously, and for a time the Union soldiers had the best of the fight and victory seemed certain. Then the Union troops were divided and thrust back. They became panic-stricken and fled to Washington (July 21, 1861). The lessons to be learned from this defeat were plain enough, — there was nothing

which could not be repaired. The resolve of the North only became sterner and their efforts stronger because of it. General George B. McClellan, who had already won several small victories in West Virginia, assumed command. Meantime Congress had assembled. The President asked for authority to raise four hundred thousand men; Congress voted five hundred thousand. The President asked for four hundred million dollars; Congress authorized a loan of two hundred and fifty millions, and began that process of increasing the taxes which has already been noted (p. 490). Volunteers poured in to the defense of Washington. McClellan proved to be a great drillmaster, and the Army of the Potomac emerged from its winter quarters a thoroughly disciplined body of troops. The victory at Bull Run, on the other hand, had disorganized the Confederate army. "Our troops," wrote Johnston, "believed the war ended . . . and left the army in crowds to return to their homes."

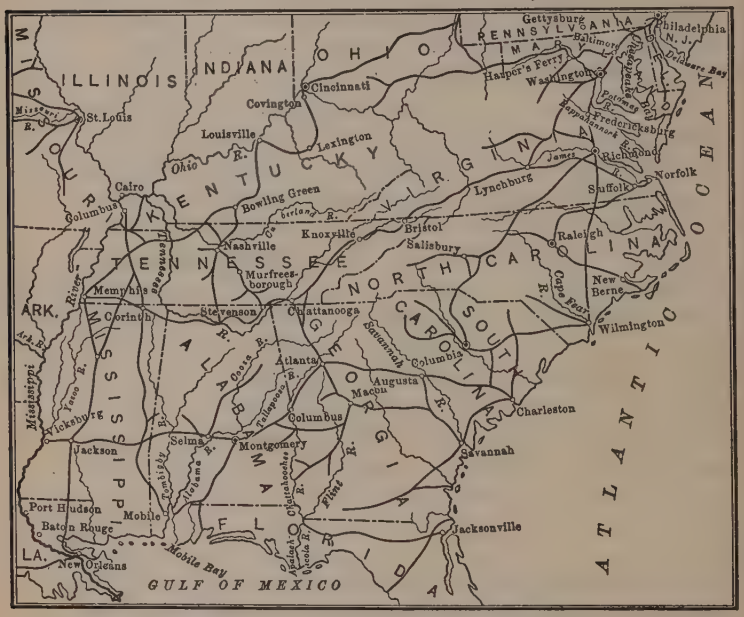
Johnston's *Orations*, III, 65–81.

349. The Contest in the West, April, 1861, to February, 1862. — Meantime, west of the Alleghanies events had been progressing more favorably for the Union cause. At first sight, these Western campaigns seem singularly disjointed and difficult to comprehend. A brief study of the topography of that section will greatly help to make the campaigns of 1861–63 clearer.

Topography of the West.

The region between the Alleghanies and the Mississippi, extending from the Ohio to the sources of the Tombigby and other rivers flowing southward into the Gulf of Mexico, is marked by several rivers having a general westerly direction, at least through a large part of their respective courses, all flowing eventually into the Mississippi. The most northerly of these rivers is the Ohio, forming the northern boundary of Kentucky, and the dividing line between slavery and freedom in that part of the United States. Before reaching the Mississippi, the Ohio turns sharply to the south. Cairo, the town which marks the junction of these two great streams, is situated farther south than Richmond, the chief political capital of the Confederacy. At almost the extreme

southern point reached by the Ohio, two important rivers join it from the south, — the Cumberland and the Tennessee. The former, rising to the west of Cumberland Gap, flows first southwestwardly, then westwardly, and turning sharply to the north, empties into the Ohio. The Tennessee, rising to the east of Cumberland Gap, flows in the same



Principal rivers and railroads of the South

general directions as the Cumberland — its southern bend lying far to the south, and its northward course extending for a much greater distance; it flows into the Ohio not far to the west of the Cumberland, the town of Paducah marking its mouth. These three rivers formed three natural lines of defense for the Confederates. The refusal of Kentucky to secede and the vigor and foresight of General Grant and the governor of Illinois prevented the Southern-

ers from so using the Ohio. Ulysses S. Grant had been educated at West Point, and had served with the colors during the Mexican War, but was engaged in business pursuits at the time of the firing on Fort Sumter. Entering into the contest with great energy, his military knowledge at once brought him to the front. He was stationed at Cairo. Seeing the importance of Paducah, he seized that place and thus gained control of the Ohio for the federal government.

General Grant. Rhodes's *United States*, III, 594.

In the first months of 1862, while McClellan held the Army of the Potomac inactive in its camps, the Western armies were up and doing. On January 19, General George H. Thomas defeated a Southern force equal to his own near Mill Springs, and compelled the Confederates to abandon the upper Cumberland valley.

Deprived of the control of the mouths of the Tennessee and Cumberland rivers, the Southerners had endeavored to close them to the use of the Union forces, who were strong on the water, by the erection of two forts at points where the rivers approach each other very closely before they join the Ohio, — Fort Henry on the Tennessee and Fort Donelson on the Cumberland. They were so near together that the garrison of one fort could reinforce that of the other. The command of the Tennessee was of great importance to both combatants ; for if it passed into the hands of the Union forces, a highway would be open to them as far south as Alabama and Mississippi. In February, 1862, Grant, in co-operation with a naval force under Commodore Foote, captured the forts and the greater part of their garrisons, but not without inflicting severe hardships on the Union soldiers, who were exposed to the most inclement weather. The valleys of both rivers now lay open to the Union armies. In the following March, another Federal army, under General John Pope, seized New Madrid and Island No. 10, two formidable positions on the Mississippi River, and opened that stream to the Union forces as far south as Memphis.

Capture of Forts Henry and Donelson, February, 1862. *Battles and Leaders*, I, 358; Dodge's *View*, ch. vi.

Expectations of the Southerners.

350. The Trent Affair, 1861. — Soon after the beginning of the conflict, the President, following out the policy of starving the Southerners to surrender, had proclaimed a blockade of the Southern ports (p. 494). Upon this, Great Britain and France granted belligerents' rights to the Southerners. The Confederates hoped and expected that the foreign powers would recognize their independence. They based this hope on the idea that "cotton is king"; that the action of the United States in closing their ports and practically prohibiting the exportation of cotton would cause so much suffering among the working people of Great Britain and France that those governments would be forced, not merely to recognize the independence of the Southern Confederacy, but to take part in the contest and open the Southern ports to commerce. In this expectation, they were doomed to disappointment. The supply of cotton on hand tided the spinners over the first period of the war, until it became clear that the contest was in reality a struggle between free labor and slave labor, in which free workingmen all the world over were interested. Far otherwise was it with the governing classes in Britain. A few leading men, as Richard Cobden, John Bright, and Goldwin Smith, strongly supported the Northern side. But most men in political life would have gladly welcomed the "new nation," as William Ewart Gladstone called the Confederacy. An incident almost immediately gave the English government an opportunity to show on which side its sympathies were.

The Trent affair. *Battles and Leaders*, II, 135.

Anxious to secure the recognition of the independence of the Confederacy, the government at Richmond dispatched two agents or commissioners, as they were called, to Europe. Escaping through the blockading fleet, they embarked on the British mail steamer *Trent*, and were removed from the deck of that vessel, on the high seas, by a boarding party from the United States war ship *San Jacinto*. The *Trent* was then permitted to continue her voyage. This act aroused great rejoicing in the United States; but Lincoln at once said, "We must stick to American principles con-

cerning the rights of neutrals." Ever since the beginning of its existence, the American government had protested against the exercise of the "right of search" (pp. 324, 413), and had manfully insisted on the freedom of neutral commerce. The British government, without waiting to seek explanations from the United States, ordered soldiers to Canada and took measures to strengthen the British fleet in American waters. Fortunately, Captain Wilkes of the *San Jacinto* had not complied with the formalities required by the rules of international law: he had not brought the *Trent* into port for adjudication as carrying contraband of war. The United States was therefore able to give up the commissioners without loss of honor. The eagerness with which Great Britain seized the first opportunity to embarrass the United States in a time of great difficulty created a bitterness of feeling in America, which was not lessened by the laxity shown by the British government in enforcing international obligations in the case of the *Alabama* and other vessels, which will be described later (p. 527). Nevertheless, the commissioners, when liberated, accomplished little or nothing in Europe.

Blockade of the Mississippi.

351. Capture of New Orleans, 1862. — One of the most difficult problems from the blockader's point of view was the closing of the mouth of the Mississippi. As a matter of fact, in place of one mouth there were several mouths. It was practically impossible to enforce the blockade at this point. The possession of the lower Mississippi also greatly favored the Confederates by making easy the transportation of troops and supplies from Texas; and there was a large contraband commerce across the Mexican border, and thence through Texas, which could not be stopped so long as the Confederates controlled the lower Mississippi. For all these reasons, as well as for others which are more obvious, the capture of New Orleans was extremely desirable.

Topography of country around New Orleans.

New Orleans stands almost on a level with the Mississippi. It was entirely unprotected on the river side, but the approach to it was guarded by two forts, situated some dis-

tance below the city. The country around New Orleans was unsuited to military operations, owing to its swampy character, and the mouths of the great river were all dangerous as anchorages for seagoing vessels. The capture of this formidable position was intrusted to David G. Farragut, a naval officer who had passed his boyhood in Louisiana. He had a large naval force at his disposal, — wooden seagoing vessels, — and soldiers were at hand to co-operate with him. Farragut lightened his vessels by the removal of guns and heavy stores and entered the river with all save his largest ship. The guns and stores were then brought over the bar, taken on board, and the fleet proceeded up stream. He found the river obstructed by chains and spars. While awaiting a favorable opportunity to pass these obstructions, a sustained bombardment of the forts was kept up by mortar vessels moored out of sight of the Confederates. Before long, the obstructions were safely passed at night, and the Union fleet engaged the forts and a Confederate flotilla. Then, steaming onwards, it anchored off New Orleans. The city was at Farragut's mercy. It surrendered, and soon afterwards the forts were abandoned to the Northern soldiers (April, 1862). This great victory gave the control of the lower Mississippi to the Union government.

Admiral Farragut.

Admiral Farragut

Capture of New Orleans, April, 1862. King's *New Orleans*, ch. xiii; *Battles and Leaders*, II, 14; Maclay's *Navy*, II, 364–407.

352. Shiloh, April, 1862. — The victories of Thomas and Grant in January and February, 1862, compelled the Southerners to abandon the greater part of the state of Tennessee and to rally to the defense of the Memphis and Charleston Railroad. The possession of this road was of the greatest importance to the Confederates, because it connected Memphis on the Mississippi with Chattanooga on the upper Tennessee, and was the only direct line connecting the Mississippi valley above Vicksburg with the Southern Atlantic states. Its loss would be a severe blow to the Southerners and would make easier the task of starving them into submission. From Memphis, the Memphis and Charleston Railroad passes to Corinth; there it crosses the only north and south line then built in that part of the country. Soon after leaving Corinth, the railroad reaches the Tennessee River, not far from the little town of Florence, and just to the south of Shiloh church and Pittsburg Landing. Eastward from Florence, the line follows the valley of the Tennessee, first on one side, then on the other, until it reaches Chattanooga. The important points in this line of communication were Chattanooga, where the railroad connects with the seaboard lines; Pittsburg Landing, where soldiers and supplies could be transferred by wagon-road from the river steamers to the railroad; Corinth, the junction with the line running parallel to the Mississippi; and Memphis, an important shipping port on the great river. General Halleck, who now commanded the Union armies in the West, ordered Grant to ascend the Tennessee to Pittsburg Landing, and there await the coming of Buell with a strong force from Nashville. Suddenly the Confederates, under Albert Sidney Johnston, attacked Grant's force and drove it back towards Pittsburg Landing. A commander of less stubborn obstinacy would have retreated; but Grant, with his indomitable courage, held on until distant detachments of his own army could march to the scene of conflict, and Buell's soldiers, who reached the Tennessee in the afternoon of the first day of battle, could be ferried across the river.

Shiloh, April, 1862. *Battles and Leaders*, I, 465; Dodge's *View*, ch. x.

Then Grant attacked in his turn and drove the Confederates back (April, 1862). This battle was one of the most hotly contested during the war, and cost the opposing armies twenty-four thousand men, killed, wounded, and missing; among the killed was Albert Sidney Johnston, the Confederate commander.

Halleck now assumed direct command of the Northern forces, united Grant's, Buell's, and Pope's armies into one formidable body, and occupied Corinth (May, 1862). Memphis surrendered to a naval force about a month later. The Mississippi was now open to Union vessels, except between Memphis and Baton Rouge. The Confederates were severely crippled by the loss of men and territory, and especially by the destruction of one end of their principal defensive line west of the Alleghanies. Unless they could regain control of Corinth and Memphis, they were likely to lose the states of Mississippi, Alabama, and Tennessee.

Ironclads.

353. **The *Monitor* and the *Merrimac*, March, 1862.** — Vessels cased wholly or partly in iron had been in use on the Western rivers since the autumn of 1860, and had played an important part in Grant's campaign on the Cumberland and Tennessee. The first armored vessel to appear in Eastern waters was the *Virginia*. Among the graceful frigates of the pre-war period was the *Merrimac*. She was at Norfolk at the outbreak of the contest, and was only partially destroyed by the Union forces when they abandoned the navy yard at that place. The Confederates built upon her hull a house of iron with the eaves under water, armed the bow with a formidable iron beak, and named her *Virginia*. This extraordinary vessel appeared in Hampton Roads on March 8, 1862, destroyed two wooden frigates, — the *Cumberland* and the *Congress*, — and began the destruction of a third, the *Minnesota*. She then retired to Norfolk, intending to continue her destructive work on the morrow. On the night following this disastrous day, an even stranger vessel anchored in Hampton Roads. This was the Union armored ship, the *Monitor*, designed by John Ericsson, an immigrant from

Sweden, and built in one hundred days. She was constructed entirely of iron, and carried two large guns mounted in a revolving iron turret. Her sides rose hardly two feet above the water, and the armor, extending far beyond her hull, effectually protected it from the danger of ramming as well as from shot and shell. The next morning the *Virginia* reappeared, and after a four hours' fight retired to Norfolk and did not afterwards renew the combat. The battles between the *Virginia* and the wooden vessels of the old type, and with the turret ship of the new type, worked a revolution in naval architecture; but the danger threatened by the *Virginia* was probably much exaggerated, as she could not have ventured into the open sea. The fear she inspired, however, operated powerfully to keep the naval authorities from exposing their unarmored vessels in the James and the York rivers, and thus produced some effect on McClellan's campaign.

Monitor and *Merrimac*, March, 1862. *Old South Leaflets*, III, No. 3; *Battles and Leaders*, I, 611, 692; Maclay's *Navy*, II, 282–324.

354. The Peninsular Campaign, March to August, 1862. — Throughout the winter of 1861–62, McClellan had under his immediate command double the force of the Confederate general, Joseph E. Johnston, but he could not be induced to take the field. In March, 1862, he at last assumed the offensive. Instead of maneuvering Johnston out of his fortified position, and attacking him on the first opportunity, McClellan decided to transport his army to the peninsula formed by the York and the James rivers, and advance upon Richmond from the east instead of from the north. By pursuing this route, he would avoid crossing the Rappahannock, Rapidan, Pamunkey, and Mattapony rivers, and would compel Johnston to abandon his camps near Bull Run and march southward to the defense of the Confederate capital. McClellan, however, encountered several checks at the outset: the civil authorities, anxious for the safety of Washington, retained about seventy-five thousand men there and in the Shenandoah valley. McClellan's plans became known to Johnston almost as soon as formed. The result of this and of McClellan's slowness was that when the Union sol-

Peninsular campaign, 1862. *Battles and Leaders*, II, 189, 319; Dodge's *View*, chs. xi–xiii.

THE CIVIL WAR IN THE EAST

diers reached the peninsula, instead of finding it a clear field for their advance on Richmond, they found their way barred by a line of entrenchments extending from Yorktown to the James. By the end of May, however, the Union army reached the vicinity of Richmond, and fought a severe and indecisive battle at Fair Oaks — about ten miles from the Confederate capital (May 31). Joseph E. Johnston was wounded, and Lee assumed command. Meantime a Confederate army in the Shenandoah valley, led by Thomas J. Jackson, — known popularly as "Stonewall Jackson," — had been fighting a remarkable campaign. So admirably had Jackson planned, and so wonderfully had his soldiers marched, that they had defeated two Union armies in succession. Lee now ordered Jackson to abandon the valley and transport his men by rail to Richmond. With this reinforcement, Lee attacked the Union army again and again (June 26–July 2, 1862); forced it to withdraw to the James; and attacked it there on Malvern Hill, to be repulsed with fearful loss. In these engagements, the total loss was thirty-six thousand men, more than one half of which was on the Southern side.

Pope's campaign, 1862. *Battles and Leaders*, II, 501; Dodge's *View*, ch. xiv.

355. The Second Bull Run Campaign, August, 1862. — Notwithstanding its misfortunes, the Army of the Potomac still threatened Richmond, and Lee, to secure its withdrawal, determined to make a demonstration against Washington. Halleck's victories at Corinth and Memphis had commended him to the government. He had been summoned to Washington to act as chief of staff, or military adviser to the President. In his turn he had called General Pope from the Mississippi valley to command the troops defending the federal capital. Halleck and Lee had known one another before the war, and Lee now felt certain that if he should seriously threaten Washington Halleck would summon McClellan from the peninsula. This calculation proved to be well founded, for no sooner was Lee's purpose known than McClellan was ordered to retire from the neighborhood of Richmond and later to send assistance to Pope. The

Confederates now made one of those rapid marches by which they gained decisive advantage. Jackson appeared on Pope's line of communication and compelled him to retire. That general had begun his career in the East with a most vainglorious proclamation about neglecting lines of retreat. He was now compelled to look to his own. Lee then rejoined Jackson, inflicted a severe defeat on the Federals at Bull Run (August 29–30, 1862), and forced Pope backwards to the defensive works around Washington. It was thought at the time that the lukewarmness of McClellan's men in supporting Pope had materially contributed to this disaster to the Union cause; especially was Fitz-John Porter blamed. It now seems certain that, although the Union soldiers felt slight confidence in Pope, they performed their duties in an able and soldierly manner.

Second battle of Bull Run, August, 1862.

§ 356. **The Antietam and Fredericksburg, 1862.** — Elated by this extraordinary success, the Confederate authorities determined to carry the war into the North. Lee crossed the Potomac near Harper's Ferry to release Maryland from "the foreign yoke" — as connection with the Union was termed — and to add that state to the number of the seceders. He found the mass of the people of Maryland hostile. Meantime McClellan was now again in command. Keeping between the Confederates and Washington, he met the Southerners at the Antietam and there fought a bloody battle (September 17, 1862). The Union force was double that under Lee; but McClellan threw away the advantages which his superiority gave him in a series of disconnected assaults. The two armies lost twenty-two thousand men, more than twelve thousand being on the Union side. Lee then retreated across the Potomac, and McClellan was superseded by General Ambrose E. Burnside.

Antietam, September, 1862. *Battles and Leaders*, II, 630; Dodge's *View*, 102–107.

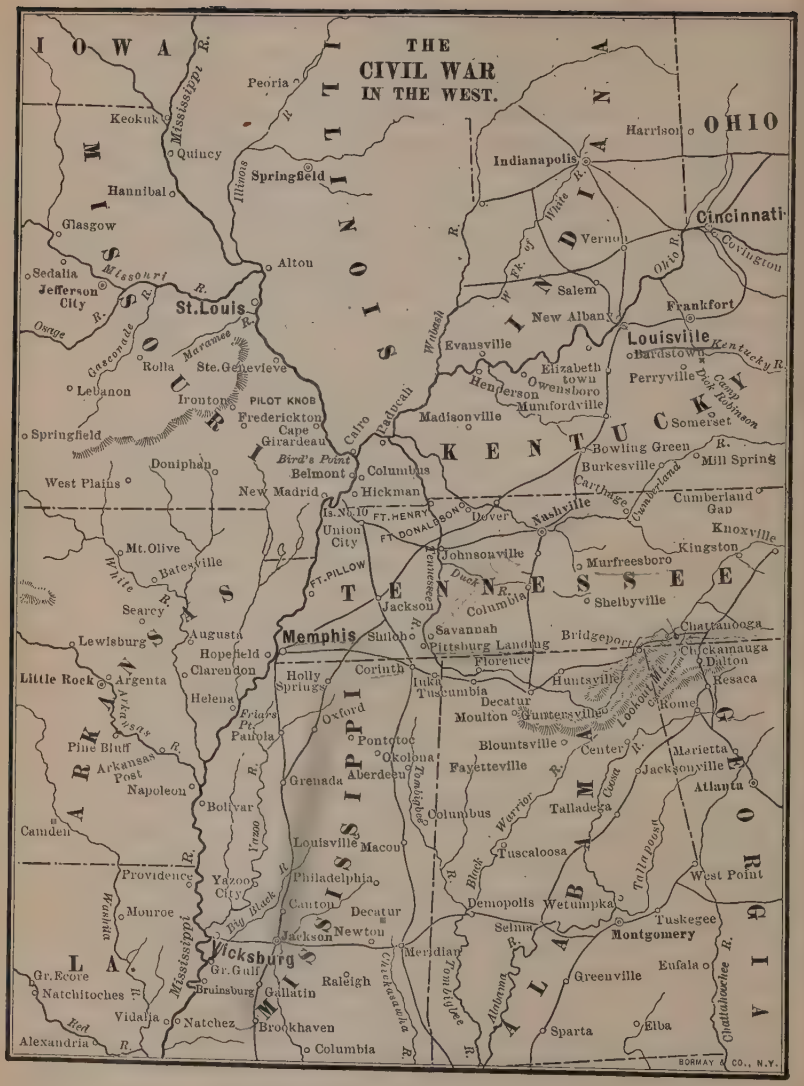
The Confederates now fortified Marye's Heights on the south side of the Rappahannock behind Fredericksburg. Burnside attacked this impregnable position in front, and was repulsed with a loss of thirteen thousand men to four thousand on the Confederate side (December 13, 1862).

Fredericksburg, December, 1862. *Battles and Leaders*, III, 70;

The "Horror of Fredericksburg" led to Burnside's dismissal and the elevation of "Fighting Joe" Hooker to the chief command of the Army of the Potomac. Dodge's *View*, 110–115.

357. Campaign in Eastern Tennessee, 1862. — After the occupation of the western end of the Memphis and Charleston Railroad, two lines of attack presented themselves to the Union commander: the capture of Vicksburg and other fortresses on the banks of the Mississippi, and the occupation of Chattanooga and eastern Tennessee. The latter was the more important as its accomplishment would make communication between Virginia and the Gulf states difficult and slow and thus greatly aid a future conquest of Mobile, Vicksburg, and other places in Mississippi. Accordingly, Halleck ordered Buell, with one portion of the Western army, to proceed to Chattanooga; Grant and Rosecrans, with the other divisions, were to remain in and about Corinth and make what conquests they could. Braxton Bragg, the new Southern commander in the West, showed himself to be a man of military perception and energy. Leaving Price and Van Dorn to occupy the attention of Grant and Rosecrans, he placed thirty thousand men on railroad cars, transported them to Mobile, and thence to Chattanooga, and reached that place in advance of Buell. He then eluded that commander and marched northward across Tennessee and Kentucky to the vicinity of Louisville on the southern side of the Ohio River; a small force even penetrated as far as Cincinnati. Bragg was then obliged to retire and to fight the Union army at Perryville (October 8, 1862). After this conflict he retired to Chattanooga. Buell, instead of following him, halted at Nashville, on the Cumberland, and was relieved by Rosecrans. Buell and Bragg. *Battles and Leaders*, III, 31; Dodge's *View*, ch. xv. Perryville, October, 1862.

Before long Bragg again marched northward. This time he advanced as far as Murfreesboro on the road to Nashville. There, near Stone River, he encountered the Union army, which was on its way southward to Chattanooga. A most stubborn contest followed. Splen- Rosecrans and Bragg, Stone River, December, 1862.


THE
CIVIL WAR
IN THE WEST.
IOWA
ILLINOIS
INDIANA
OHIO
KENTUCKY
TENNESSEE
MISSOURI
ARKANSAS
MISSISSIPPI
ALABAMA
GEORGIA
LA.
Mississippi R.
Illinois R.
White R.
Ohio R.
Missouri R.
Osage
Gasconade
Maramec
Wabash R.
Cumberland R.
Tennessee R.
Duck R.
Big Black R.
Yazoo R.
Pearl R.
Red R.
Alexandria R.
Tombigbee R.
Tallapoosa
Coosa
Chattahoochee R.
Peoria
Keokuk
Quincy
Springfield
Hannibal
Glasgow
Sedalia
Jefferson City
St. Louis
Alton
Rolla
Ste. Genevieve
Lebanon
Ironton
PILOT KNOB
Frederickton
Cape Girardeau
Springfield
Doniphan
West Plains
Bird's Point
Belmont
Columbus
New Madrid
Hickman
Cairo
Cadiz
Madisonville
Evansville
Indianapolis
Harrison
Cincinnati
Covington
Vernon
Salem
New Albany
Frankfort
Louisville
Bardstown
Perryville
Elizabeth town
Owensboro
Henderson
Munfordville
Somerset
Bowling Green
Burkesville
Mill Spring
Cumberland Gap
Knoxville
Kingston
Murfreesboro
Nashville
Dover
Ft. Henry
Ft. Donaldson
Ft. Pillow
Union City
Johnsonville
Shelbyville
Jackson
Columbia
Chattanooga
Lookout Mt.
Chickamauga
Dalton
Resaca
Rome
Huntsville
Decatur
Tuscumbia
Iuka
Corinth
Florence
Memphis
Shiloh
Savannah
Pittsburg Landing
Bridgeport
Holly Springs
Oxford
Moulton
Guntersville
Blountsville
Center
Marietta
Jacksonville
Atlanta
Pontotoc
Okolona
Fayetteville
Aberdeen
Grenada
Talladega
Columbus
Tuscaloosa
West Point
Lewisburg
Augusta
Hopefield
Clarendon
Helena
Friar's Pt.
Panola
Little Rock
Argenta
Pine Bluff
Arkansas Post
Napoleon
Bolivar
Camden
Providence
Yazoo City
Monroe
Louisville
Macon
Philadelphia
Canton
Decatur
Newton
Jackson
Vicksburg
Gr. Gulf
Bruinsburg
Raleigh
Gallatin
Meridian
Demopolis
Wetumpka
Selma
Tuskegee
Montgomery
Eufala
Greenville
Sparta
Elba
Gr. Ecore
Natchitoches
Vidalia
Natchez
Brookhaven
Columbia
Searcy
Batesville
Mt. Olive
Lookout Mt.
BORMAY & CO., N.Y.

didly commanded by Thomas and Sheridan, the Union center repelled every Southern attack (December 31, 1862). Out of eighty thousand men engaged, twenty-three thousand were placed out of the fighting line by this one day's battle. Bragg retired toward Chattanooga, and Rosecrans remained where he was for nearly six months, until June, 1863.

Battles and Leaders, III, 613; Dodge's *View*, 122–126.

Meantime Price and Van Dorn endeavored to carry out their part of the Confederate plan of campaign. They attacked the Union armies at Iuka (September 19, 1862) and at Corinth (October 3 and 4, 1862), and were each time repulsed, but they prevented the sending of reinforcements to Buell. The autumn campaign, therefore, may be said to have been unfavorable to the Northern armies.

358. Lincoln's Policy as to Slavery, 1861–63. — In his inaugural address (p. 482), President Lincoln had stated that he stood by the declaration in the Chicago platform (p. 469), — that the right of "each state to regulate its own domestic institutions according to its own judgment exclusively" was essential to the "endurance of our political fabric." For a long time, a year and a half, Lincoln maintained this position so far as the march of events permitted him so to do. In 1861 General John C. Frémont, the first candidate of the modern Republican party for President, and now commanding the military department of Missouri, had issued an order to the effect that the slaves of all persons in Missouri, taking up arms against the Federal government, should be free. The President overruled him. Later on, in 1862, General Hunter, commanding the Federal forces in South Carolina, Georgia, and Florida, issued an order declaring all the slaves in those states free; but Lincoln reversed this order, stating that he reserved the management of the whole matter to himself as commander in chief. He well knew that the mass of the people in the North cared little for abolition and would not have entered upon the war to free the slaves — their purpose was to save the

Lincoln's slavery policy, 1861–62.

Union. There was, however, a body of determined and energetic men in the North who were resolved to bring about the abolition of slavery. They did not at all like the attitude which the President had taken.

From the very beginning of the conflict slaves had been received into the Union lines and there retained. General B. F. Butler, commanding at Fortress Monroe, appears to have begun this measure by refusing to deliver up slaves who had escaped into his lines to their owner, a Confederate soldier — who claimed them under the Fugitive Slave Act. Butler declared that he retained them as "contraband of war," on the ground that their services would be useful to the enemy. This policy was approved by the President and by Congress.

Congress and slavery, 1862.

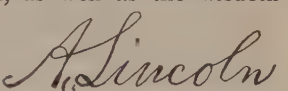
In March, 1862, Lincoln took an important step in recommending Congress to grant pecuniary aid to any state which should undertake the gradual abolition of slavery with compensation to the owners. Congress fell in with the President's views; it also (April, 1862) passed a law abolishing slavery in the District of Columbia with compensation to the owners; West Virginia, too, abolished slavery within its limits. The Senate, at about the same time, ratified a treaty with Great Britain for suppressing the slave trade by permitting a mutual right of search of merchant vessels within two hundred miles of the African coast, and within thirty leagues of the more important places outside the United States, where slavery still existed. In June (1862), Congress took a long stride forward by abolishing slavery in the territories without compensation, and in the following July passed an act authorizing the seizure of slaves of persons then in rebellion.

Lincoln's letter to Greeley, August, 1862. Stedman and Hutchinson, VII, 81;

Lincoln had been much influenced by the stubborn resistance offered by the Southerners. He also probably thought that the antislavery sentiment was gaining strength in the North. He already had in mind the emancipation of the slaves in the states then in insurrection as a war measure justifiable under the Constitution. On August 19, 1862,

Horace Greeley's paper, the New York *Tribune*, contained an article bitterly attacking the President's policy of inaction as to slave emancipation. In reply Lincoln wrote a letter to Greeley, contradicting nothing, denying nothing, but setting forth his ideas in language which no one could misunderstand. "I would save the Union," he said; "I would save it the shortest way under the Constitution. . . . My paramount object in this struggle is to save the Union, and is not either to save or to destroy slavery. If I could save the Union without freeing any slave, I would do it; and if I could save it by freeing all the slaves, I would do it; and if I could save it by freeing some and leaving others alone, I would also do that." The true heart and singleness of purpose which animated Lincoln, as well as the wisdom which guided his actions, were seldom more conspicuous than in this letter, which should be read by all students who desire to understand this epoch in our history. His "personal wish," he concluded by saying, was "that all men everywhere could be free"; at the time it did not coincide with what he deemed to be his plain official duty as President.

American History Leaflets, No. 26.



359. The Emancipation Proclamation, 1863. — Lincoln soon became convinced, however, that the emancipation of the slaves, so far as he could bring it about, would be a justifiable means of distressing the Southerners, and would arouse sympathy for the Union cause abroad. At the same time, it would satisfy the demands of an influential body of his supporters in the North, and could be justified to his more numerous supporters as a war measure. He only waited for some Union success to justify the step. The collapse of Lee's invasion of Maryland gave him the opportunity he desired, and on September 22, 1862, he issued a proclamation stating that on the first day of the new year (1863) he would declare free all slaves in any portion of the country which should then be in rebellion against the United States. Accordingly, on January 1, 1863, he

Emancipation Proclamation, January, 1863. *Old South Leaflets*, Gen. Ser. No. 11; Stedman and Hutchinson, VI, 482.

issued the Emancipation Proclamation. The force and legal effect of this document has been disputed; it is clear, however, that it operated to free persons held in slavery in portions of the United States then in insurrection, wherever such portions were occupied by the Union armies. Of course it did not abolish slavery as an institution anywhere. As the declaration of a policy, its effect was very important. In the November elections following, the Republicans lost ground. Some of the change of feeling, thus indicated, was due to Lincoln's action; but how much cannot be stated. In the end, however, the policy found favor. Two slave states still in the Union abolished slavery, — Missouri, June, 1863, and Maryland, October, 1864. The issue became one of the important questions in the campaign of 1864, which resulted in the overwhelming re-election of Lincoln (p. 528). The Congress then in being had already rejected the Thirteenth Amendment abolishing slavery throughout the United States. It now (January, 1865) accepted it by the necessary two-thirds majority. The amendment was ratified by the requisite number of states and declared in force, December, 1865. Slavery was now legally abolished throughout the Union.

Political results of the proclamation.

360. The Vicksburg Campaign, 1863. — The departure of Halleck and Pope to Washington and Buell and Rosecrans to eastern Tennessee left Grant in sole command in Mississippi. Unfortunately, Halleck did not trust Grant, and the latter's military rivals were, therefore, frequently able to hamper his plans. A study of the map of the forms of land (Map I) at once shows the difficulties which nature placed in the way of the further conquest of the Mississippi valley. The great flood plain of that river extends on the western side nearly to the mouth of the Ohio; on the eastern side, it is cut into two parts by the bluffs which approach the river at Natchez and form its eastern bank northward to Vicksburg. Northward from the latter point the flood plain again stretches along the eastern bank as far as Memphis (Map p. 512). These "bottom lands" were

Topography of country around Vicksburg.

admirably suited to the cultivation of cotton; they were practically inaccessible to an army, and almost inaccessible to a hostile fleet, as the channels of the streams which intersected them in every direction could easily be blocked by felling trees on their banks. In these circumstances, the easiest way to approach Vicksburg was by an overland march southward from Corinth. Public opinion in the North, however, was decidedly in favor of an advance by the line of the Mississippi. Grant divided his army, sending Sherman down the river while he marched overland. A sudden attack on his supply depots compelled Grant to draw back, and Sherman, assaulting the bluffs above Vicksburg, was repulsed with heavy loss. Grant now carried his whole army down stream and tried scheme after scheme without accomplishing his purpose. Vicksburg itself was of slight importance, but batteries posted on the high ground just above the town and also on a level with the stream commanded the course of the river for miles, as in those days it made a bend at almost a right angle at this point. Finally, Grant marched his army by Vicksburg on the other side of the Mississippi, crossed the river below the fortress, and after fighting several battles gained a position in its rear. The Confederate commander, General Pemberton, retreated with his army into the works, although Joseph E. Johnston, who had recovered from his wound and had assumed command of the Confederate forces in the West, ordered him to save his army by flight. After enduring a long and perilous siege, Pemberton surrendered (July 4, 1863). In a few weeks, the other Confederate posts on the river also fell into Union hands, and the Mississippi from source to mouth was under the control of the national government. While Grant and Pemberton were arranging terms of capitulation on July 3, 1863, the Union army repelled the last assault of the Confederates on the lines at Gettysburg.

Grant captures Vicksburg, July, 1863. *Battles and Leaders*, III, 493; Dodge's *View*, 93–101, 142–161.

361. Chancellorsville, May, 1863. — From the middle of December, 1862, to the end of April, 1863, the Army of the Potomac remained quietly in camp at Falmouth, opposite

Chancellorsville, May, 1863. *Battles and Leaders*, III, 154; Dodge's *View*, 127–131.

Fredericksburg — the Confederates retaining their strong position on Marye's Heights (p. 510). At length, on April 30, Hooker led the Army of the Potomac out of its camps, and, by a skillful maneuver, placed it nearly across the line of Lee's communications with the South. Instead of pushing to the utmost the advantage thus gained, Hooker halted in the forest, which is dense at that point, establishing his headquarters at Chancellorsville. Lee had about one half as many soldiers under his orders as Hooker. Nevertheless, he divided them in two parts. With one portion Jackson marched across the front of the Union line and suddenly attacked it at the point farthest removed from Marye's Heights. He found the Northern soldiers entirely unprepared, and nearly destroyed Hooker's right wing before help could be sent; on the following night, Jackson was accidentally shot by his own men while returning from an examination of the Union position. Lee, redoubling his attacks, drove Hooker back across the Rappahannock and then, turning on a Federal force, which had meantime seized Marye's Heights, compelled them to seek the northern shore of the stream. In four days (May 2–5, 1863) Lee, with sixty-one thousand men, had dealt a terrible blow to the Army of the Potomac of one hundred and five thousand men. He now decided again to invade the North.

Gettysburg, July, 1863. *Battles and Leaders*, III, 255; Dodge's *View*, 132–141.

362. Gettysburg, July, 1863. — Leading his soldiers through the valley of Virginia, Lee crossed the Potomac and entered Pennsylvania. The Army of the Potomac also crossed that river, keeping between the Confederates and the national capital. On June 28, while this movement was in progress, the Union forces received a new commander, George G. Meade. Three days later (July 1), the two armies came together at the little village of Gettysburg. At first the Confederates were in greater force and the Unionists retreated through the village to a fishhook-shaped crest known locally as Cemetery Ridge. The position proved to be remarkably strong, and Meade determined to fight the decisive battle at that point. On the next day

(July 2) the Confederates attacked vigorously, drove back the Union left, and gained a position on the right which seriously menaced the whole line. On the morning of the 3d, the Northern soldiers drove them out of this advantageous spot, and repelled every attack. Lee determined to make one more assault, and sent General Pickett, with fifteen thousand men, against the Union center defended by troops under General Hancock. Splendidly the Southerners marched forward, to be repulsed with awful loss. The battle of Gettysburg was won at a loss of fifty thousand men out of a total of one hundred and seventy thousand engaged. In this conflict, the Confederates had the fewer men and suffered the greater loss.

Gettysburg and Vicksburg should have ended the war; there was no longer any hope of Southern success: every month the war continued only made more dreadful the ruin of the South; every month saw an addition to the strength and resources of the North.

Opposition to Federal government in the North. Johnston's *Orations*, III, 82–92.

363. Northern Opposition to the War. — It was, indeed, fortunate that these successes came when they did; for the Union government, at the moment, was hard pressed by the Northern opponents of its policy. There were many sincere, well-meaning persons in the North who were strongly of the opinion that the general government, under cover of military necessity, was using its power to overthrow the rights of the states and the personal liberty of private citizens. In the critical days following the fall of Fort Sumter, Lincoln had found it necessary to seize private property, as railroads and telegraph lines, and to use them for military purposes. He also had ordered the arrest of persons suspected of hostility to the Union cause. There was little evidence to convict these persons of crimes recognized by the law, and, to secure their detention, Lincoln had suspended the operation of the writ of *habeas corpus*. This brought about an irritating constitutional controversy. The Constitution (Art. i, § 9) merely states that the "writ of *habeas corpus* shall not be suspended, unless when in cases of rebel-

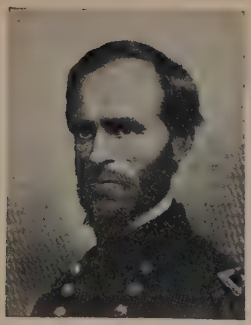
lion or invasion the public safety may require it." Article i relates to the legislative power, and it might be inferred from this that the intention of the Constitution was that Congress should exercise the suspending power. The President ordered the suspension of the writ when Congress was not in session, and there was ground for the argument that unless the Executive exercised this function it could not be exercised at all in very critical moments. In 1863 Congress, by act, conferred on the President the right to suspend the operation of the writ. Since the war, the Supreme Court has decided that the final decision as to the suspension of the writ in a particular case belongs to the courts.

The draft riots, 1863.

Another cause of opposition was the action of the government in pursuance of an act of Congress passed in 1863. This authorized the general government to have resort to a "draft" or conscription to fill the ranks of the armies. In the summer of 1863 riots directed against the enforcement of this law occurred in several places, especially in New York. The government was now strong enough to bear down all opposition, and the rioters were severely dealt with. The real result of the draft act, however, was to compel the states to fill their quotas of soldiers by paying large bounties to those who would enlist in the army.

Chickamauga, September, 1863. *Battles and Leaders*, III, 638; Dodge's *View*, 172–183.

364. **Chickamauga and Chattanooga, 1863.** — In June, 1863, Rosecrans again took up the task of capturing Chattanooga. By a series of well-planned and admirably executed maneuvers he compelled Bragg to abandon that place. After Gettysburg, the Confederate army in the West was reinforced by two of Lee's divisions, under one of his best commanders, General Longstreet. General Burnside also led a new Union army to eastern Tennessee, and occupied Knoxville. On September 19, 1863, Bragg suddenly attacked Rosecrans at Chickamauga, and nearly routed him. But here, as at Murfreesboro, Thomas saved the day by holding the center of the Union position. Thomas then succeeded Rosecrans in command, but was obliged to shelter his army in Chattanooga, where Bragg blockaded it, while Longstreet besieged



American generals

Burnside at Knoxville. Meantime, Grant had taken command of all the Union armies west of the Alleghanies. He hastened to the help of Thomas and Burnside. Reinforcements had also been sent from the East, and Hooker, with a detachment from the Army of the Potomac, reached Chattanooga immediately before Grant, with Sherman's corps of the Mississippi army, arrived on the scene of action. Grant at once sent Sherman to attack Bragg's right and Hooker to gain his left, while with Thomas's veterans he held him fast in his lines. Everything fell out happily: Thomas's men, eager to show their courage, carried the Confederate center by assault, and Bragg retreated in confusion (November, 1863). Sherman then went to the relief of Knoxville; on his approach Longstreet retired through the mountains to Virginia.

Chattanooga, November, 1863. *Battles and Leaders*, III, 679; Dodge's *View*, 184–189.

Grant had won the confidence of the Northern people by his brilliant successes. He was now made lieutenant general, and given command of all the Union armies on both sides of the Alleghanies (March, 1864). He assumed direct control of the operations in Virginia, and confided the leadership of the armies operating from Chattanooga to his tried and trusted subordinate, General Sherman.

Grant made lieutenant general, March, 1864.

365. The Atlanta Campaign, May to July, 1864. — The task to which Sherman set himself was most arduous. Atlanta was the only manufacturing town of importance, from a military point of view, in the Confederacy. It also was an important railway center, as the lines from Alabama, Georgia, and the Carolinas converged there. The country between Chattanooga and Atlanta was very difficult of access: the railroad ran through narrow gorges under mountains, whose tops, crowned with artillery, made advance on that line impossible. The Confederate government gathered every soldier who could be spared from the defense of Richmond to guard this important post, and placed in command Joseph E. Johnston, of living Southern commanders second only to Lee. To the conquest of these seventy-five thousand men, Sherman brought one hundred thousand veterans.

Atlanta campaign, 1864. *Battles and Leaders*, IV, 260; Dodge's *View*, 223–243, 255–262.

Instead of attacking Johnston in front, Sherman used his superiority in numbers to outflank him, and thus compelled him to retreat from one strong position to another. Johnston showed great ability, but the skill of the Union commanders and the enthusiasm, courage, and discipline of the Northern soldiers overbore all obstacles. The Confederate government had never placed entire confidence in Johnston, and his retreat impelled them to displace him and appoint Hood to the chief command at the moment when the Union army was approaching Atlanta. Hood was expected to fight, and not to retreat. Again and again he attacked Sherman, only to be beaten off with cruel loss. He then advanced northward in the expectation that Sherman would follow him, and thus abandon the conquest of Atlanta. But the Union commander contented himself with sending back a portion of his troops under Thomas and Schofield. With the remainder, some sixty thousand strong, he completed the destruction of the mills and factories at Atlanta, and set out for the seacoast through the heart of the Confederacy.

Strategy of 1864. *Battles and Leaders*, IV, 247.

366. Plan of Campaign. — The "march to the sea" had long been in contemplation. In the preceding years, while the Vicksburg campaign was still in progress, Colonel Grierson, with seventeen hundred men, had ridden from the Tennessee to Baton Rouge. He reported that "the Confederacy was a mere shell." Apart from the soldiers in the front, there were almost no fighting men in the South. Sherman thought, and Grant agreed with him, that as long as he was out of the reach of the armies under Lee and Hood, he would be perfectly safe. The advantages of his proposed movement were many: in the first place, it would go far toward convincing the Southerners of the hopelessness of further resistance, and would probably increase the opposition to the Confederate government, which was already noticeable in some portions of the South; in the second place, its successful prosecution would encourage the people of the North, and might have an important effect on European public opinion. The great dangers to be apprehended were

from the two Confederate armies. Grant felt able to keep Lee fully employed; but could Thomas, without Sherman's aid, crush Hood? After a thorough consideration of all these points, Grant gave Sherman permission to go.

Sherman's marches through Georgia and the Carolinas. *Old South Leaflets*, III, No. 5; *Battles and Leaders*, IV, 663; Dodge's *View*, 279–292, 302–309.

367. Sherman and Thomas. — Leaving Atlanta, Sherman and his men marched gayly through Georgia. Everywhere as they passed along they destroyed the railroad system by tearing up rails and twisting them into fantastic shapes by means of fire. The soldiers lived off the country, but, when not opposed, otherwise respected the rights of private property. On December 10, 1864, Sherman opened communication with the Union fleet blockading Savannah. Ten days later, his soldiers entered that city. After resting his men, he again set out — this time on a more difficult and dangerous enterprise. The plan now was that he should march northward through the Carolinas, and occupy some position whence he could menace Lee's communications with the Southern states. With his customary foresight and energy, Sherman started before he was expected to do so, and thus gained a position in front of a force which had been gathered to oppose him. His northward advance compelled the evacuation of Charleston, and, on February 17, he entered Columbia, the capital of South Carolina. Lee now assumed the responsibility of appointing Johnston to command the defense against this invasion from the South. That general exercised all his old-time skill, but nothing that he was able to do could stop Sherman: the latter reached Goldsboro, North Carolina, in safety, and once again opened communication with the fleet. Meantime Wilmington had fallen, and Thomas had destroyed Hood's army. Schofield, with a portion of the Western army, joined Sherman at Goldsboro; the latter was now (March 21, 1865) fully able to cope with any army the Confederates could place in the field.

For a time, indeed, it had seemed as if Thomas would not be able to carry out the part of the plan which had been assigned to him. A portion of his force under Schofield

was attacked at Franklin, in Tennessee, and he was obliged to retire to Nashville before he felt able to make a stand against Hood. At that place he slowly gathered a formidable army about him, but refused to sally forth until his preparations were complete. Grant and the government at Washington became alarmed; they endeavored to stir him. Thomas would cheerfully hand over the command to another; he would not give battle until he was ready. At last all preparations were made; he left his entrenchments (December 15, 1864) and attacked Hood. In two days he not merely routed that general: he destroyed his army as a fighting force — it was never brought together again!

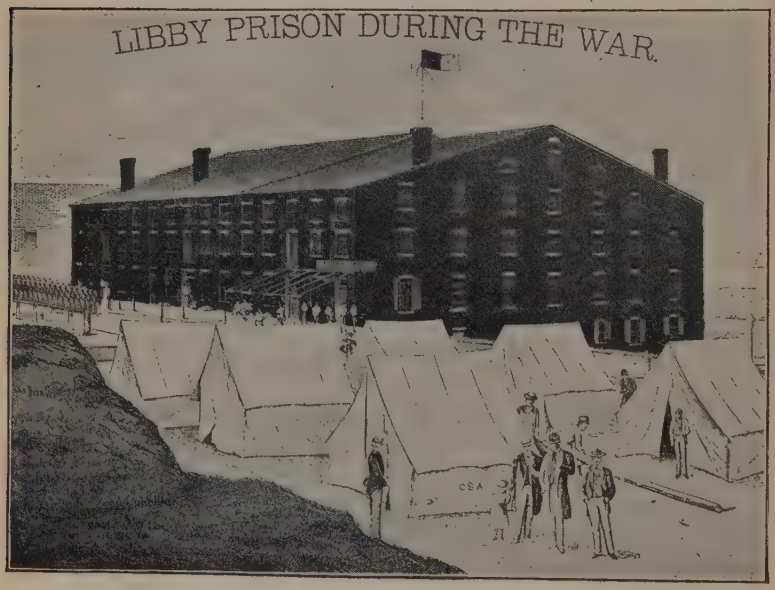
Nashville, December, 1864. *Battles and Leaders*, IV, 440; Dodge's *View*, 293–301.

368. Grant and Lee, 1864. — In May, 1864, the Army of the Potomac again took up its task of the destruction of Lee's army, and the conquest of Richmond. Grant directed the campaign in person, but Meade remained in direct control of the Army of the Potomac. The Northern soldiers numbered one hundred and twenty thousand, to whom Lee could oppose only seventy thousand men. On May 5 the two armies came together in the Wilderness, not far from the fatal field of Chancellorsville. For two days (May 5, 6, 1864) a terrible contest prevailed, and then Grant moved by his left to Spottsylvania Court House, and here again a fearful conflict raged in the woods and clearings (May 10–12). Then again by a flank march Grant led his army first to the North Anna and then to Cold Harbor, on the battle ground of the Peninsular Campaign. At the latter place there was nearly continuous fighting for eleven days (May 31 to June 12). Then Grant, unable to advance, transferred his army to the James. But there Lee again forestalled him, and occupied Petersburg on the Appomattox. These bloody conflicts cost the Union army sixty thousand men, to fourteen thousand for the Confederates. The Federal government refilled Grant's shattered ranks; Sherman moved northwards; Thomas destroyed the Confederate army in the West, and there was no source from which the Confederates could replace their losses. Grant, seeing clearly

The Wilderness campaign, 1864. *Battles and Leaders*, IV, 97; Dodge's *View*, 197–222, 244–254.

Northern prisoners in the South.

the exhaustion of the fighting population of the South, refused to permit any more exchanges of prisoners, declaring that a Northern man who died in the horrible prison pens of the South laid down his life for the nation's cause equally with the man who was killed on the field of battle. Toward the close of the conflict, the Southerners suffered great hardships, even the soldiers in the ranks of the army opposing



Libby Prison

Grant in Northern Virginia could not be supplied with vegetables. They were attacked by scurvy, which dreadful disease also accounted for the death of many Northern captives in Southern prisons.

Sheridan in the Valley, 1864.

369. Sheridan's Valley Campaign, 1864. — Grant now besieged Lee in his lines at Petersburg. Gradually the ever-increasing pressure became unbearable, and Lee sought to

divert Grant from his purpose by an attack on the Union capital. Detaching one of his ablest subordinates, Jubal Early, he directed him to penetrate the Shenandoah valley and seize Washington. Early reached the defenses of Washington, but delaying the attack, was detained long enough by a hastily levied force to enable two army corps to reach Washington from the James. The Confederates then retired into the valley. To combat Early, Grant gave Sheridan forty thousand men with orders to devastate the valley so that no Confederate force could march through it. The campaign which followed saw each army successful in turn. Finally, Sheridan obtained the upper hand, drove the Confederates back, and destroyed everything eatable that could be found. He then rejoined Grant at Petersburg (November, 1864).

Battles and Leaders, IV, 500; Dodge's *View*, 252–254, 263–278.

370. Great Britain and the Confederate Cruisers. — In the earlier years of the war, a few Southern vessels ran the blockade and began the destruction of Northern commerce on the ocean. The most important of these were the *Sumter* and the *Florida*, the latter a British-built vessel which was converted into a man-of-war at Mobile. The most famous of the Confederate cruisers, however, never entered a Southern port. This was the *Alabama*, built in England, on the Mersey, and permitted to go to sea by the British government, notwithstanding the protests of the American minister at London, Charles Francis Adams. After a most destructive career, the *Alabama* was finally sunk off Cherbourg, by the United States ship *Kearsarge*, commanded by Captain Winslow (June 19, 1864). The two vessels were of about the same size and armament; but the guns of the *Kearsarge* were better aimed than those of her opponent, and the powder of the *Alabama* was so defective that such of her shot as reached the *Kearsarge* did little damage.

The Confederate cruisers. Maclay's *Navy*, II, 553–561.

Kearsarge and *Alabama*. Maclay's *Navy*, II, 562–573.

The Confederates also contracted for the construction of two powerful ironclad rams in England. The British government showed no desire to seize them before completion, and informed Adams that it could not interfere. The

The Confederate rams.

American minister thereupon wrote to Earl Russell, the British foreign minister: "It would be superfluous for me to point out that this is war." But the English government had already awakened to the danger of its position and had seized the vessels.

The *Shenandoah*.

The last of the Confederate cruisers to keep the seas was the *Shenandoah*. Coaling at Melbourne, she sailed for the northern Pacific and there destroyed the American whaling fleet after the surrender of Lee and Johnston. The inaction of the British government on all these occasions aroused intense resentment in the United States, and became the subject of negotiation and arbitration (p. 547).

Election of 1864. Stanwood's *Elections*, 236–252.

371. Lincoln's Re-election, 1864. — In the Northern states were to be found many persons who were actively opposed to the further prosecution of the war. These were mostly Democrats, and they nominated General McClellan for the presidency. The extremists among the Republicans, who thought the administration was not sufficiently vigorous in its policy, especially as to slavery, nominated John C. Frémont. Lincoln was nominated by a convention composed of Republicans and of those Northern Democrats who were heartily in favor of the maintenance of the Union. The convention placed a Democrat, Andrew Johnson, a Union man from Tennessee, on the ticket with Lincoln, as candidate for the vice-presidency. This convention favored the vigorous prosecution of the war and a continuance of a national policy as to public improvements. Frémont withdrew; the Democrats carried three states, — New Jersey, Delaware, and Kentucky; Lincoln and Johnson were elected by two hundred and twelve electoral votes out of a total of two hundred and thirty-three, their majority in the popular vote being more than four hundred thousand. The people of the North had decided by an overwhelming vote that the war should be fought to the end. Preparations were at once made for its prosecution on a larger scale than ever before. The Union army steadily increased in size until May, 1865, when over a million men were on its muster rolls.

For the South, any such display of vigor was out of the question. The Confederacy was a shell: there were no more white men to be forced into the ranks; there were no more arms or military equipments; there was hardly food enough at the front for the soldiers already in the field. The Congress at Richmond passed a bill for the employment of slaves as soldiers; it was proposed to arm at least one regiment with pikes.

372. The Surrender at Appomattox, 1865. — As soon as it was possible to move, the Northern soldiers began the final campaign of the war. Grant had now one hundred and twenty-five thousand men to Lee's sixty thousand. On the first day of April, 1865, Sheridan, with a strong force of cavalry and infantry, gained a position at Five Forks which commanded the roads to the rear of Richmond and Petersburg, and Lee could not drive him back. Lee therefore withdrew his army from his works and endeavored to escape by the valley of the Appomattox to the mountains, in the hope, perhaps, of combining his troops with the force under Johnston's command. At last, the Northern soldiers were too quick for him. Sheridan, with the cavalry and the Fifth Corps, outmarched the Confederates; the remainder of the Army of the Potomac pressed on their flank and rear. On April 7, 1865, the van of the starving army of northern Virginia reached the vicinity of Appomattox Court House. A body of dismounted Union cavalry barred the way. The Confederates deployed to brush aside this obstacle, when the cavalrymen, withdrawing to one side, disclosed an infantry line of battle. Farther progress was impossible, and Lee surrendered (April 9, 1865). The terms given to the Southerners were singularly liberal: the Confederates were to lay down their arms and cease from acts of hostility. Later on an attempt was made to punish the politicians who had led the South to secession and ruin, but that was abandoned.

Appomattox, April, 1865. *Battles and Leaders*, IV, 708; Dodge's *View*, 310–319.

373. Assassination of Lincoln, April 14, 1865. — On April 14, the people of the North were aglow with enthusiasm over the fall of Richmond and the surrender of Lee's army;

Assassination of Lincoln.

on the morning of the 15th, they were plunged into a depth of gloom such as had never been known in the history of the United States. On the evening of the 14th, Lincoln was shot by a crazed sympathizer with the cause of secession and slavery, and an attempt was also made on Seward's life. With Lincoln perished the one man able and willing to restrain the Northern extremists. Andrew Johnson became President, and the policy of the government soon underwent a great change (p. 537).

Cost of the war. Dodge's *View*, ch. lxi.

374. Cost of the War. — The War for the Union cost the nation, North and South, the lives of nearly a million men: about ninety-five thousand Northern soldiers were killed on the field of battle, or were fatally wounded and died in hospitals; one hundred and eighty thousand more succumbed to disease while on the army rolls. To these figures must be added those who died from accident, disappeared permanently, or died in Southern prisons or in consequence of disease or wounds contracted while in the service; the total of those who perished from all these causes is not far from one half a million; about as many more Southerners perished from similar causes. Hundreds of thousands more contracted disorders or received wounds while in the service, which did not lead directly to death but which shortened life or made it wretched. The total money cost of the war to the Union government was about three and one half thousand million dollars — excluding expenses incurred by states and municipalities, which amounted, in all probability, at least to three hundred millions more. Adding to this the amount paid and to be paid in pensions to those who risked their lives and the well-being of their families for the Union cause, and the amount of private property destroyed during the conflict, the war for the Union cost not less than ten thousand million dollars.

SUGGESTIVE QUESTIONS AND TOPICS

§§ 334–345. The Beginning of Civil Strife

a. Do you consider that Lincoln or Washington best represents American life?

b. Upon what premises did Lincoln base his conclusion that "the Union is much older than the Constitution"?

c. Give as many facts as possible to support the statement, "in the end they collapsed as no other conquered people have done in historical times."

d. What is meant by the statement, "there are few things, however, so unreliable as statistics"?

e. Why did the Confederates have "superior marching qualities"?

f. Compare the uprising of the Northern and the Southern people. In which section was there greater unanimity?

g. Draw an imaginary picture of what might have happened had the "border states" seceded.

h. Compare the war policies of the North and the South. Was it possible for the South to have pursued a different policy?

i. The national banking system: why was it established? Describe it. What changes might now be made to adapt it to present conditions?

j. Is it true that the blockade "was the chief factor" in the defeat of the South? Give your reasons.

§§ 346, 347, 349. The Theater of War

a. Draw three maps showing (1) the theater of war as a whole, (2) the East, (3) the West (Dodge's *Bird's-Eye View*). Describe by recitation lines of communication and lines of defense.

b. Draw two maps, one representing the theater of war in Virginia during the Revolution, the other, during the Civil War. Enter fully upon each name and date of battles; what points of similarity and dissimilarity strike you?

§§ 350, 370. Relations with Great Britain

a. Do you consider the bitterness of feeling towards Great Britain justifiable? Give your reasons. Has Great Britain done anything since 1865 to lessen this feeling?

b. Why were "free workingmen all the world over" interested in the struggle between the North and the South?

c. Who formulates the rules of International Law? What is meant by "according belligerent rights"? How does it differ from "recogni-

tion of independence"? Why were both Great Britain and France opposed to nationalism in the United States?

d. What argument in favor of democracy do you find in § 350?

§§ 359, 360. Slave Emancipation

a. (1) Trace in detail Lincoln's policy as to slavery. (2) Describe carefully the position of the Republican party as to slavery. (3) Was the war begun to free the slaves? (4) Would you have advocated war in 1861 to secure immediate emancipation? (The first three of these questions may be used as Topics for Individual Investigation.)

b. Discuss the constitutionality of the Emancipation Proclamation. Is there any limit to the President's war powers? In how far do the proclamations of a President have legal force?

§§ 363, 371. Northern Opposition

a. Compare the mode of recruiting during the Revolutionary War and during the Civil War.

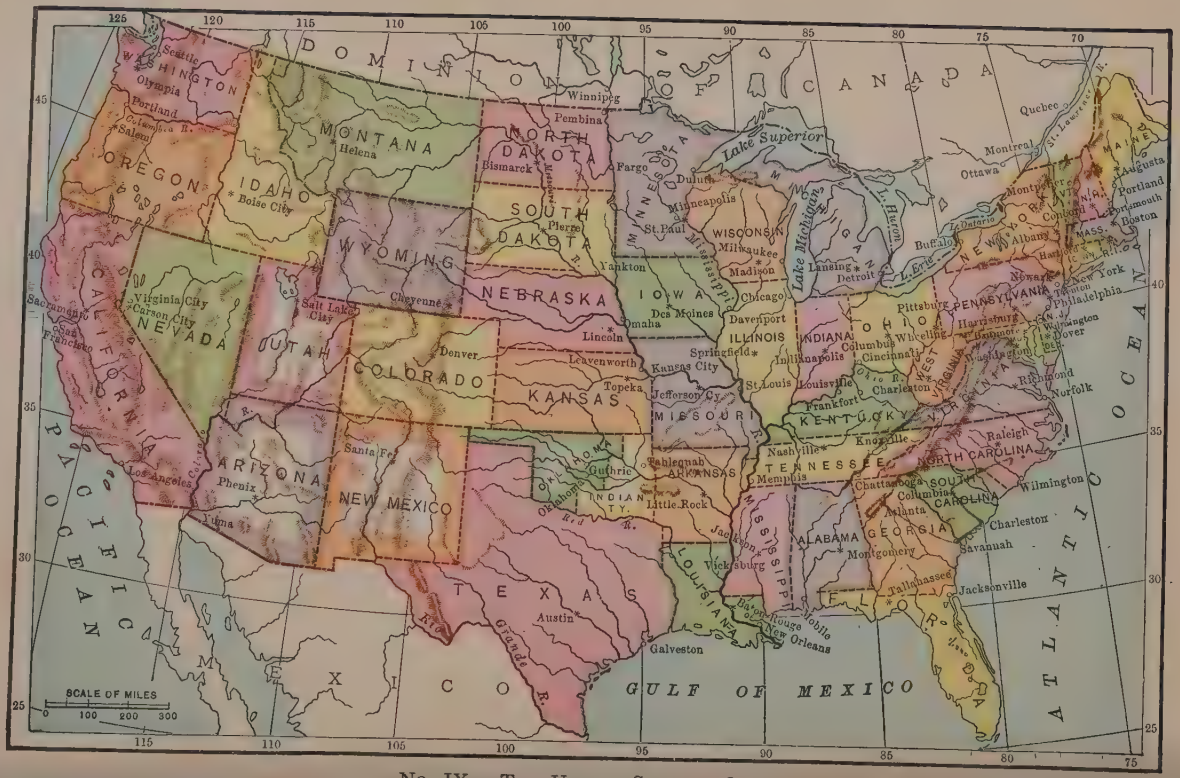
b. Why was Andrew Johnson nominated for Vice-President?

c. Compare the votes cast in 1856, in 1860, and in 1864. What changes of sentiment can you discern?

d. Does the Constitution authorize Congress to draft soldiers?

General Questions

Subjects for special study in secondary authorities: (1) assign to each student a campaign or a battle to be studied in Dodge's *Bird's-Eye View* and in *Battles and Leaders*, or in other convenient books; the report should include a map or plan of the campaign or battle; (2) the part played by the "Old Northwest" in the war; (3) the part played by the "border states," or by any one of them; (4) development during the Civil War of the railroad system, or the action of the homestead law, or the exploitation of the mineral resources, or the progress of mechanical invention, or industrial expansion; (5) the attitude towards the United States of the leading nations of Europe; (6) the questions of international law which grew out of the Civil War.



No. IX. The United States, 1800

CHAPTER XIV

NATIONAL DEVELOPMENT, 1865–1900

Books for Consultation

General Readings. — Johnston's *American Politics*, 207–279; Wilson's *Division and Reunion*, 254–299.

Special Accounts. — Lalor's *Cyclopædia* articles by Johnston; Blaine's *Twenty Years;* Landon's *Constitutional History;* Sterne's *Constitutional History;* Andrews's *Last Quarter Century.* Lives of the leading statesmen, *Guide*, § 25. On the currency see Walker's *Political Economy* and Laughlin's *Political Economy.*

Sources. — McPherson's *Handbooks;* Appleton's *Annual Cyclopædia;* Mulhall's *Dictionary of Statistics; Tenth Census;* Shaler's *United States.* Writings of leading statesmen, *Guide*, §§ 32, 33.

Bibliography. — Gordy and Twitchell, *Pathfinder in American History.*

Illustrative Material. — Whittier's *Democracy;* Tourgée's *A Fool's Errand* and *Bricks without Straw;* Hale's *Mr. Merriam's Scholars.*

NATIONAL DEVELOPMENT, 1865–1897

Return to peace conditions.

375. Return to Peace Conditions. — The war was over: its close brought with it new conditions and new problems whose solution has been most difficult. The enormous military and naval forces were to be disbanded; wounded and disabled Union soldiers and sailors with their families were to be cared for; an enormous debt was to be paid off; emancipation was to be completed, and the negroes protected in their new freedom; and vexatious political questions were to be settled. All these matters were pressing, but on many of them it was nearly impossible to reach agreement. Above all, it was necessary for the government and the people to abandon extravagant habits which had grown

up during the war, and once again consent to live the slower and more commonplace existence which belongs to times of peace. The stimulating legislation of war time, and the energy of the Northern people, had opened up new sources of wealth, and greatly extended the old forms of production. All these were now to be protected and extended, and the Southern people induced to gain their share in this vast material growth.

The history of the period extending from the close of the war to 1890 naturally divides itself into two parts: one dealing with political problems mainly, the other having to do with industrial progress. Of the two the latter is by far the more important; it deserves the most careful study from every one taking part in the government of the country, either directly as a voter or indirectly as influencing the vote of another person. It will be convenient first to consider the political and constitutional history.

Reduction of army and navy.

376. The Army and Navy. — Even before the surrender at Appomattox, but when the exhaustion of the South had become apparent, the government's recruiting offices had been closed and a stop put to further enlistments. As soon as possible after Lee's surrender, the discharging of the soldiers was begun, and it was pushed on with vigor. In six months' time eight hundred thousand soldiers had been mustered out of the service, and at the end of the year (1865) only fifty thousand remained on the government's rolls. Since then, the number has been still further diminished, until in 1890 there were only twenty-five thousand soldiers in the service of the United States. The militia organization of the states has been maintained on a much better basis than before the war. There is more uniformity in drill and accoutrements, and the discipline is much better. Military traditions have been kept alive by societies of veterans, as the "Grand Army of the Republic," and other organizations based on the military units of the Union armies, as the "Society of the Army of the Cumberland." There can be little question that the country is now better pre-

pared for war than at any time between the Revolution and the outbreak of the Civil War.

Reduction of the navy also went on with vigor. The men were discharged and the ships were laid up at the government yards or were sold out of the service. For years the navy steadily declined in efficiency, until the government possessed no vessels able to cope with the modern ships of even the lesser American powers, as Chile. In 1884–85 the beginning of a new navy was made. For in those years four vessels were launched. They were built on modern plans and proved to be serviceable. From time to time other vessels were built, until there came into being a small but very effective navy. A scheme of a naval militia was also set on foot.

Maclay's *Navy*, II, 577–601.

The new navy.

The Union soldiers and sailors returned to private life, honored and respected by all. Mindful of its obligations, Congress, by law, has provided pensions for those veterans whom wounds or the inevitable hardships of military service have made unable to earn a livelihood, and has also made provision for those dependent upon them. The expense of this pension system at one time was about one hundred and forty million dollars a year.

Pensions.

377. The War Debt. — At the close of the war the interest-bearing debt amounted to two thousand four hundred million dollars, with an annual interest charge of one hundred and fifty millions. In addition, there was the non-interest-bearing debt to the amount of nearly five hundred millions more. This was in the form of paper money, issued directly by the government. The interest-bearing debt was in the form of bonds which had been floated at very high rates of interest and paid for in the government's own depreciated currency. The disbandment of the military and naval forces decreased the amount the government was obliged to pay out day by day, and made it possible for it at once to begin to pay off the debt. Before the end of 1865 thirty-five millions were paid off, and the process went steadily on. The internal revenue taxes bore heavily on industry, and, as soon as possible,

The national debt.

they were either lowered or abolished. This, of course, reduced the income of the government and retarded the payment of the debt. In 1869 Congress took up the matter in earnest. The old arguments of Washington's time were repeated. It was said that the obligations had not produced their face value to the government, and might be redeemed at less than par. But the necessity of protecting the government's credit prevailed, as it had in the earlier days (p. 266). Congress now passed an act "to restore the public credit." In this it pledged itself to redeem the public obligations in coin at their face value. The credit of the government at once improved and enabled it to replace the bonds bearing high rates of interest by those bearing much lower rates. This set free large sums with which to pay off bonds, and before 1880 more than eight hundred million dollars were devoted to this purpose. In 1890 the amount of the interest-bearing debt had decreased to a little over one thousand million dollars, and the total debt, including the paper money but minus the cash in the treasury, was very nearly one thousand four hundred million.

The nation's credit.

Resumption of specie payments, 1879.

The government also greatly increased its credit by resuming payments in gold (1879). Previously, in 1871, silver was withdrawn from circulation as money except in fractions of the dollar. To many persons in the poorer sections of the country this seemed to be an act favoring the people of the richer sections. In 1878 they secured the passage of a law requiring the coinage of silver dollars at the rate of two millions a month. Later on, this policy was extended, until the amount of silver money in circulation threatened to drive gold money out of the country.

378. **Lincoln's Southern Policy.** — When the war broke out, Lincoln, and the Republicans generally, had denied the possibility of a state seceding and leaving the Union. The people of the states which had passed secession ordinances were now beaten and crushed into subjection. Meantime,

a new element had come into the question: the President, by virtue of the war power, had issued the Emancipation Proclamation — which had certainly not abolished the institution of slavery in the states where it had a legal existence, although it had operated to free the negroes then in bondage in a large part of the South. To settle the slavery question forever, Congress had passed the Thirteenth Amendment, which was now (1865) before the state legislatures for adoption. What was the relation of the states which had attempted to secede to the Union and to this amendment? Were "states" indestructible whether in or out of the Union? Or had insurrection reduced these states to the standing of territories? If the former were the case, the consent of some of the states which had attempted to secede was necessary to the ratification of the amendment; if the latter were the case, might not Congress impose the amendment on the states as the price of readmission? The problem of reconstruction was still further complicated by the fact that the chief executive was no longer a man in whose judgment the Northern people had every confidence, or one who possessed great power in dealing with men. On the contrary, the White House was now occupied by a Southern man, who had not the slightest tact, and in whom the people of the North had no confidence at all. This was due in great measure to faults in Johnson's character, which were rendered the more conspicuous because of their absence from Lincoln's. Johnson's motives were good, his patriotism unquestionable, and his judgment usually sound; but he obscured all those good points and ruined his influence with the people by coarse bitter invectives against all those with whom he could not agree.

Constitutional position of the seceded states.

President Johnson.

In an address (April 11, 1865), Lincoln set forth his ideas on the subject of reconstruction. He thought that the "question whether the seceded states, so called, are in the Union or out of it" was "bad as the basis of controversy, and good for nothing at all — a mere pernicious abstraction." The states in question were "out of their proper

Lincoln's reconstruction policy.

practical relation with the Union," and the sole object of those in authority should be "to again get them into that proper practical relation." He believed that it was possible to restore such relation "without deciding or even considering whether those states have ever been out of the Union." Acting on these ideas, he had previously (December, 1863) issued a proclamation offering pardon to all persons, except certain classes, who should take an oath to support the Constitution and the laws and proclamations as to the emancipation of slaves. He further promised that as soon as one tenth of the voters in any one state should take this oath and set up a republican form of government in that state, the federal government would recognize it as the legal state government. The question of admission of the senators and representatives from such a state, however, was necessarily reserved to Congress. Arkansas, Louisiana, and Tennessee were reorganized on this basis in 1864; but Congress refused to receive the electoral votes of Louisiana and Tennessee in the autumn of that year.

Johnson's reconstruction policy.

379. Johnson's Reconstruction Policy, 1865. — President Johnson now (1865) proceeded to reorganize the other states on the above lines, and had succeeded in every case when Congress came together in December, 1865. The new state governments had adopted the Thirteenth Amendment, and it was declared in force (June); slavery was extinct in the United States, even in Kentucky and Delaware. These states had not been affected by the Emancipation Proclamation, had not adopted any plan of emancipation, and had refused to ratify the Thirteenth Amendment. The legislatures of the reorganized Southern states had not, however, merely ratified the amendment and formed state constitutions, — especially Mississippi and South Carolina, — they had also passed many laws which went far toward destroying the effects of emancipation. These provided that negroes who would not work should be regarded as "vagrants" and compelled to labor. In fact, had these laws been carried out, forced labor would have been practically re-established.

The new Congress met in December, 1865; the Southern states were omitted from the roll call, and it soon became evident that there was a great difference of opinion between the Republicans who held control of Congress and the President on the matter of reconstruction. The feeling of the Northern congressmen toward the South was largely determined by the action of the new Southern legislatures toward the negroes. The Republicans held a two-thirds majority in both houses, and were therefore able, when united, to override the veto of the President. The theory soon adopted by the ruling party was that the insurrection in the South had suspended for them all the body of federal law, and they could only be readmitted to the enjoyment of the privileges of states by Congress,—in other words, they were practically in the situation of territories. Johnson, instead of trying to calm the rising spirit of hostility to his measures, lost no opportunity to denounce Congress, declaring that it was no Congress, as the Southern members were not allowed to take their places. The elections of the next year (1866) returned a large Republican majority to Congress; and it thus fell out that through the whole of Johnson's term his veto amounted to little, as in almost every case a two-thirds majority in both houses was able and willing to pass its original measure over the President's opposition.

Congress and reconstruction, 1865–66. Johnston's *Orations*, IV, 129–180.

380. The Freedmen's Bureau.—In March, 1865, Congress had established, under the direction of the War Department, a bureau to provide for sick and helpless freedmen for the term of one year. The officers of the bureau also did what they could to settle disputes between the employers of labor in the South and their former slaves. In this way the bureau did much to soften the severity of the operation of the forced labor laws. In February, 1866, Congress passed a bill continuing it for two years, and greatly enlarging its field of activity. This was opposed to the President's reconstruction policy; Johnson vetoed the bill, and enough members of Congress were friendly to him to make it impos-

The Freedmen's Bureau, 1865.

sible to pass it over his veto. The breach between the President and the Republican party now rapidly widened, mainly owing to Johnson's intemperate language. In July, 1866, another bill was passed continuing the bureau for two years, providing for the education of the blacks, giving the proceeds of confiscated lands for that purpose, and also providing that the rights of the freedmen should be enforced by the army. Johnson promptly vetoed this measure, and it was at once passed over his veto. The Freedmen's Bureau was not finally abolished until 1870.

Fourteenth Amendment, 1866.

381. The Fourteenth Amendment. — In March, 1866, after Johnson's first veto of the Freedmen's Bureau Bill, Congress passed a Civil Rights Bill for the protection of the emancipated negroes. This gave jurisdiction in cases arising under it to the federal courts alone. Johnson vetoed this measure on the ground, among others, that it was unconstitutional. Congress passed the bill over the President's veto. The question of the constitutionality of the measure was set at rest by the adoption of the Fourteenth Amendment. Section 1 of this amendment provided that "all persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside." This was aimed at the opinion expressed by the Supreme Court in the Dred Scott case (p. 448). The first section also forbade the states to abridge in any way the rights of the citizens. Section 2 provided that representation in Congress should be apportioned among the states according to their respective numbers. Whenever any state should deny the franchise to any citizens, except for "participation in rebellion or other crime," the representation of that state should be diminished accordingly. The third section excluded from the national services all persons who, "having previously taken an oath . . . to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same." Congress, however, by a two-thirds vote of each house, might remove this disability. Section 4 guaranteed

the validity of the federal debt, and declared all debts incurred in support of "insurrection or rebellion against the United States" to be null and void.

Congress proposed this amendment to the states in June, 1866. Tennessee, which had already agreed to the Thirteenth Amendment, accepted this one also; the other Southern states rejected it.

The Reconstruction Acts, 1867. Johnston's *Orations*, IV, 181–188.

382. The Reconstruction Acts, 1867. — When Congress met in December, 1866, it was known that the Southern states had rejected the Fourteenth Amendment. It was also certain that the Northern states, by returning a strong Republican majority to Congress in the preceding November, had given a strong approval to the congressional plan of reconstruction. Inspired by the action of the Northern and Southern states, Congress hastened to complete this work with or without President Johnson's consent. The Tenure of Office Act limited the President's power of removal of government officials; another act established universal manhood suffrage as the condition of the admission of Nebraska. Both were passed over the President's veto, as was the Reconstruction Act, which became law on March 2, 1867. According to this last act and supplemental acts enacted by the new Congress, the states which had passed ordinances of secession, save Tennessee, were formed into five military districts. Each district was placed under the rule of an army officer assigned to that duty by the President. These military commanders were to exercise wide discretion; they were to respect such state laws only as were not hostile to the rights of the freedmen. Furthermore, they were to register as voters all men of twenty-one years and upwards, save those who would be excluded from the franchise by the proposed Fourteenth Amendment, and those who had committed crime other than participation in rebellion. The requirement of residence in any one state to acquire the franchise was fixed at one year, which was the usual condition in Northern states. These conditions practically excluded from the franchise the old white popu-

Process of reconstruction.

lation of the South, and gave it to the blacks and to white immigrants from the North. The latter came in large numbers, bent on making fortunes on easy terms. They had no intention of permanently residing in the South, and were not overburdened with much in the way of baggage. Indeed, one carpet-bag frequently sufficed to hold the belongings of each of these Northern immigrants, and they were hence termed "the carpet-baggers." Some of them were high-minded men of ability; but, for the most part, they were designing persons, whose previous careers had not been successful. They soon acquired a complete ascendency over the freedmen, and, for a time, misruled the South to their own advantage.

The voting list having been made up as described in the preceding paragraph, the process of reconstruction might be proceeded with. (1) The voters in any one state should elect delegates to a constitutional convention, who (2) should frame a state constitution on the basis of manhood suffrage — excepting those excluded by the proposed amendment. (3) The constitution should then be submitted to the registered voters for ratification; (4) the constitution being accepted, it then became the duty of the voters to elect a legislature, which (5) should ratify the Fourteenth Amendment. All these steps being accomplished to the satisfaction of the federal government, the representatives of the state would be admitted to Congress, and the process of reconstruction would be complete. The government reserved the right, however, to interfere with this process at any stage, and compel the proceedings to be gone through with again from the beginning. Under the provisions of this act, all the Southern states which had seceded in 1860–61 reentered the Union, with the exception of Tennessee, which was already admitted, Georgia, which had been refused admission when her legislature declared negroes ineligible to office, and Virginia, Mississippi, and Texas, because they had declined to accept constitutions conferring the suffrage on the blacks.

383. Impeachment of President Johnson, 1868. — Until 1867 it had generally been held that the President, who shared the power of appointment with the Senate, had absolute power of removal. In that year, however, Congress, by passing the Tenure of Office Act over Johnson's veto, sought to make removals also contingent on the approval of the Senate. In 1867 the President demanded the resignation of Stanton, Lincoln's War Secretary, who still held office, and was not in sympathy with his new chief; Stanton refused to resign. Finally, Johnson removed him, in spite of the Tenure of Office Act, which he regarded as unconstitutional. Stanton appealed to the House of Representatives, and that body impeached the President for disregarding the law. The trial lasted from March to May, 1868, when the Senate failed to convict Johnson by a vote of thirty-five to nineteen — two-thirds not voting for conviction. Johnson, no doubt, was right in his interpretation of the Constitution; it is to be regretted, however, that while the impeachment proceedings were going on he continued his bitter attacks on his political opponents. In March, 1869, his stormy term of office came to a close, and General Grant succeeded him as President.

Impeachment of Johnson, 1868.

384. Foreign Relations, 1865–69. — While the Civil War was still in progress, and the United States was practically powerless to enforce the principles of the Monroe Doctrine, Great Britain, France, and Spain joined together to coerce Mexico into a payment of her national debt. Great Britain and Spain remained members of this curious league for a short time only. The French, left to themselves, overran Mexico, and instituted an empire in that country, with an Austrian archduke, Maximilian, as Emperor. This action of France aroused great indignation in the United States. Napoleon III, Emperor of the French, was friendly to Southern independence, and would, doubtless, have gladly waged war against the United States, but the matter never reached that point. The surrender of Lee entirely changed the situation. American troops were marched toward the

The French in Mexico, 1865–69.

Mexican border, and the French minister at Washington was reminded by Seward (1866) that the United States desired the removal of the French soldiers from Mexico; they were at once removed, but Maximilian remained. He was executed by the Mexicans, who then re-established a republican form of government.

Acquisition of Alaska, 1867.

In 1867 the United States acquired a great addition of territory by the purchase of Alaska from Russia, for a little more than seven million dollars. This purchase added an immense tract of land to the national domain; its value is not yet fully ascertained, but indications point to its great mineral resources.

Election of 1868. Stanwood's *Elections*, ch. xxii.

385. **Election of 1868.**—The Democratic candidate for the presidency in 1868 was Horatio Seymour. He had been governor of the state of New York, and had caused Lincoln much anxiety by his feeble support of the government's measures, and also by his open hostility displayed to some of them. In their platform the Democrats declared their approval of Johnson's plan of reconstruction. The Republicans nominated General Grant, and declared for the policy set forth in the reconstruction acts. Upon these platforms and with these candidates there could be little doubt which side the voters of the North would take, nor could there be much doubt as to the preferences of those entitled to vote in the South. Virginia, Georgia, Mississippi, and Texas were still unreconstructed. The negroes formed the majority of voters in the Southern states, and at this time their votes were counted. Out of two hundred and ninety-four electoral votes Grant received two hundred and fourteen.

386. **End of Reconstruction.**—The Fourteenth Amendment was declared in force in July, 1868, and the election of Grant in the following November plainly indicated that the majority of the voters desired the completion of the process of reconstruction, as embodied in the recent acts of Congress and in the Fourteenth Amendment. In February, 1869, Congress added one more safeguard to the negroes' rights as citizens by proposing the Fifteenth Amendment. This

Fifteenth Amendment, 1869.

provided that neither the federal government nor any state government could abridge the rights of citizens of the United States to the franchise "on account of race, color, or previous condition of servitude." The ratification of this, as well as of the Fourteenth Amendment, was now made a condition of the readmission of Virginia, Mississippi, Texas, and Georgia to the Union. The Fifteenth Amendment was declared in force in March, 1870; but it was not until 1871 that the last of the states which had passed secession ordinances were restored to full rights. Meantime, since 1860, Kansas, West Virginia, Nevada, and Nebraska had been added to the Union. There were now (1871) thirty-seven states in all.

The Southerners and the negroes.

The Southern whites were determined to deprive the freedmen of the rights guaranteed to them by the amendments, and thus to defeat the object of the reconstruction acts. Banded together in secret societies, as the Ku-Klux, they whipped and cruelly ill-used the negroes to intimidate them into not using their right to vote. Congress, therefore, was obliged to exercise the great powers conferred on it by the recent amendments. It passed several laws, known in the South as the "Force Bills." These provided suitable penalties for the infraction of the amendments, and gave the federal courts exclusive jurisdiction of all such cases. By 1872 the condition of affairs had so far improved that Congress repealed or modified some of the more severe of these measures. It also passed an Amnesty Act relieving many classes of Southerners from the disabilities laid upon them by the amendments and the reconstruction acts.

The Force Bills.

The Southern whites used every means to regain control of the Southern state governments, and ultimately succeeded. There was much injustice done to the freedmen, and occasionally great disorder. Often two rival governments contended for mastery; the federal authorities were frequently obliged to interfere and to send soldiers to maintain order. This discouraging condition of affairs continued throughout Grant's two terms of office as President.

The Treaty of Washington, 1871.

387. Relations with Great Britain. — The Northern people had never forgotten the action of the British government at the time of the "Trent affair," nor its inaction as to the *Alabama* and other Confederate vessels. There were also other causes of irritation, especially a dispute as to the boundary in the extreme northwest, and as to the rights of American fishermen in Canadian waters. In 1869 Reverdy Johnson, the American minister in London, negotiated a treaty on these matters, which was promptly rejected by the United States Senate. The next year, however, the British government suggested that a joint commission should meet at Washington to arrange some of the matters in controversy. The American government consented, on condition that the "Alabama dispute" should also be considered. The commissioners met at the federal capital, and concluded the Treaty of Washington (1871). According to this instrument, the matters in controversy were referred to courts of arbitration or to joint commissions, with the exception of the controversy as to the northwest boundary, which was referred to the German Emperor as arbiter. This last was in regard to the boundary from the mainland on the eastern side of Vancouver Sound to the Pacific Ocean at the western end of the Strait of Juan de Fuca. The point in dispute was especially over the ownership of St. Juan Island, which separated the two main channels. The matter was finally decided in favor of the United States (1872).

The Alabama Arbitration, 1872.

The "Alabama claims" included all the disputes which had arisen out of the refusal of Great Britain to enforce the obligations of neutrals during the course of the Civil War. These were now referred to a court of arbitration, consisting of five members to be appointed, one each by the United States, Great Britain, Italy, Switzerland, and Brazil. The tribunal was authorized to proceed on the assumption that a neutral was obliged to use "due diligence" to prevent its territory being made the basis of hostile expeditions or armaments against one of the belligerents; but the British government was unwilling to admit that international prac-

tice had imposed such obligations at the time of the Civil War. When the tribunal met at Geneva (1872), the United States suggested that Great Britain should be held responsible not only for the direct loss occasioned by her lack of due diligence, but also for the indirect damage caused by the prolongation of the conflict so far as it could be attributed to the action of the Confederate cruisers. The court rejected this claim for indirect damages, but held that the British government had not shown due diligence in permitting the escape of the *Alabama*, and in allowing the *Shenandoah* to fill her bunkers with coal at Melbourne. The court awarded the United States fifteen and one half million dollars, the British representative alone dissenting from this verdict.

The Washington Monument

Election of 1872. Stanwood's *Elections*, ch. xxiii.

388. Political Uncertainty, 1868–76. — The speculative spirit aroused among the Northerners by the war, the great fortunes accumulated through the manufacturing industries fostered by high protective tariffs, and the gains made by the manipulation of railroad shares and bonds culminated in an era of activity unequaled in the history of the country. Every one endeavored to acquire wealth, by fair means if possible; but many went even further, and sought to gain riches by any means, whether fair or foul. Innumerable scandals came to light, extending from the highest circles in the federal government to the rings and cliques which plundered cities and towns. Grant's personal honesty was beyond question, but he found that methods of appointment suited to military life were entirely out of place in civil administration. One of the members of his cabinet was

impeached for accepting bribes, but escaped punishment by retiring from office. The national Congress was popularly supposed to be honeycombed with corruption, but little could be proved against any individual members. Among the minor scandals, that of the "Tweed Ring" in New York attracted most attention; but there is little doubt that the administration of other cities was tainted with corruption. All this wrongdoing worked against the Republican party, which was really responsible for only a little of it. Its failure to bring safety to the freedmen or peace to the South also alienated many of its supporters. This feeling of opposition first found expression in the election of 1872, when many dissatisfied Republicans, styling themselves "Liberal Republicans," nominated Horace Greeley for the presidency. The nomination was ratified by the Democratic convention of that year; but very many Democrats were unable to vote for one who had taken so radical an attitude during the war. Under these circumstances, Grant, the Republican candidate, was re-elected by a large majority of electoral votes; but two years later the Democrats elected a majority of the House of Representatives (1874).

Election of 1876. Stanwood's *Elections*, ch. xxiv.

389. Election of 1876. — Grant's second term came to a close on March 4, 1877. The campaign of the preceding year had been more fiercely contested than any election since 1860. The Democrats had now accepted the policy of reconstruction, and there was slight difference between the two parties, so far as principles went, although the Democrats were more friendly to the South than were the Republicans. The latter nominated Rutherford B. Hayes of Ohio for President, and the Democrats chose for their candidate Samuel J. Tilden of New York, who had shown ability and honesty in the administration of state affairs. The election was very close, and finally turned on the votes of three Southern states, whose governments were still in an unsettled condition. The Constitution is exceedingly vague as to the process by which the electoral vote shall be ascertained. The Twelfth Amendment says: "The President of the Sen-

ate shall, in the presence of the Senate and the House of Representatives, open all the certificates and the votes shall then be counted." In 1876 the Senate was Republican and the President of the Senate was a Republican; the House of Representatives, on the other hand, was in the control of the Democrats. Two sets of certificates had been received from Louisiana, Florida, and South Carolina, and there was a controversy as to the vote of Oregon. If all these votes should be counted for the Republican candidate, he would be elected by a majority of one; but if the votes of one only of these states should be thrown out or given to the Democratic nominee, the latter would be elected. Under these circumstances, it was most important to secure an impartial count of the ballots; but what man, or body of men, under the Constitution, had the authority to decide as to the validity of the disputed certificates? Was it the business of the President of the Senate? Or should it be confided to the Senate and House of Representatives sitting together or sitting apart? Congress could come to no agreement on these points; but both houses were able to agree to refer the matter to an extra-legal Electoral Commission of five senators, five representatives, and five justices of the Supreme Court. It turned out that eight of the fifteen members of the commission were Republicans, and they voted together on every important question. On March 2, 1877, the commission, by a vote of eight to seven, reported that Hayes was elected, and two days later he was inaugurated.

The Electoral Commission.

390. A New Epoch, 1876. — The administration of President Hayes marks the close of an epoch in the history of the United States. He removed the soldiers who still upheld the federal authority in two Southern states, and left the Southern people free to work out their new life as best they might. The old Southern leaders had regained control of the Southern state governments, and had practically suppressed the political privileges guaranteed to the freedmen. They were determined to retain political power in

their own hands, but had no desire, or at least had no intention, to return to the slave system, or again to assert the doctrine of states' rights; these two issues were dead in the South as they were in the North. The politics of the country were to turn on other issues in the future: the reform of the civil service, the revision of the tariff, and the substitution of silver for gold. On these issues there has been little difference in principle between the two great parties. The Democrats inherited from earlier days a desire for freer trade than existed under the war tariff, and perhaps would have rejoiced to see free trade established, while the Republicans, as a party, have argued for extreme protection. Both have supported civil service reform, especially when out of power. Until 1896, both parties favored the making of laws to put more silver money into circulation.

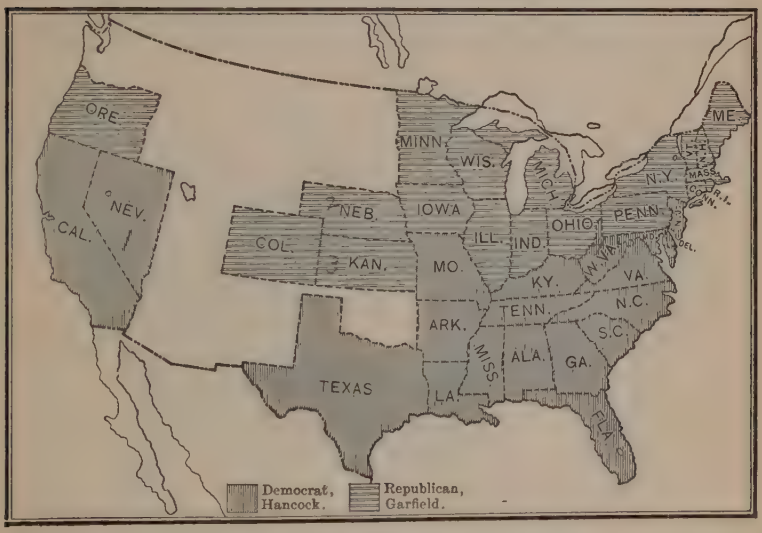
J. A. Garfield

Hayes's administration, 1877–81.

391. Political History, 1877–96. — President Hayes began his administration under many disadvantages; his election had been achieved by dubious methods, and the House of Representatives was in the hands of the Democrats, who were disposed to hamper him in every possible way. During the first two years of his term of office the number of dissatisfied Republicans steadily increased, and, in 1878, the Democrats gained control of the Senate while retaining their majority in the House. They made blunder after blunder, and the quiet, dignified administration of Hayes attracted many of the independent Republican voters back to their old party allegiance. In 1880 a determined at-

tempt was made to nominate Grant for a third term, but the traditional limit of two terms was so firmly fixed in the nation's prejudices that even the "stalwart Republicans," as those favorable to a third term were called, were obliged to yield. James A. Garfield of Ohio became the Republican candidate and was elected. The Democrats lost control of the House of Representatives also, and became so weak in

Election of 1880. Stanwood's *Elections*, ch. xxv.



Election of 1880

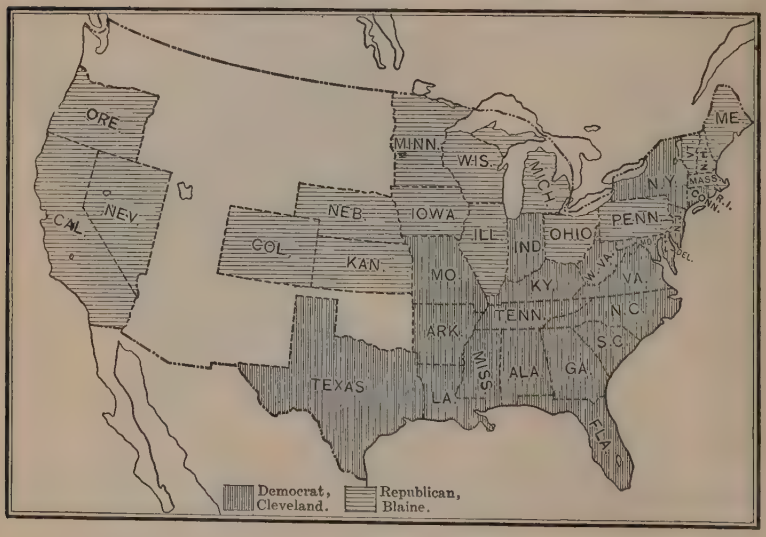
the Senate that that body was generally equally divided between the two parties.

Soon after his inauguration, Garfield was murdered by a disappointed office seeker, and Chester A. Arthur of New York, the Vice-President, succeeded to the chief magistracy. Garfield's death was so evidently due to the prevailing system of appointment to the civil service, that public attention was aroused to the evils attendant on the existing practice of political appointment. Arthur entered heartily into the scheme of civil service reform, and a beginning was made

Civil service reform.

Election of 1884. Stanwood's *Elections*, ch. xxvi.

in the right direction. In 1884 the Republicans nominated one of the "stalwart" leaders, James G. Blaine, who was not trusted by a large number of men who usually voted for Republican candidates. They either abstained from voting or cast their ballots for Grover Cleveland of New York, the Democratic candidate, and he was elected. The Democrats also secured a majority in the House of Representatives. The new President extended the scope of the reform of



Election of 1884

Cleveland's administration, 1885–89.

the civil service, and something was done toward the revision of the tariff, in the direction of lower duties. Parties were evenly divided; but the prominence of the old Southern element in the Democratic councils, and its lack of consideration for the business interests of the country, turned away many Northern voters who had supported Cleveland. This feeling led to the election in 1888 of Benjamin Harrison of Indiana, the Republican candidate. The Republicans also secured control of Congress, and

"reformed the tariff," as the phrase was, by largely increasing the duties. They also passed a law obliging the government to buy a large amount of silver each month, and coin it into dollars, whose market value as metal was about fifty-three cents in gold. Senator Sherman and Representative McKinley of Ohio were the leaders in this policy. Industrial and business interests became alarmed, the government's revenues declined, and Grover Cleveland was again elected President in 1892. Harrison had also extended the scope of the merit system, and Cleveland, in his second term, again extended it. In Cleveland's time also the Sherman silver law was repealed, and the McKinley Tariff was modified toward lower rates. Cleveland, however, was not at all in harmony with the great mass of the Democratic voters. In 1896 the Democratic convention met at Chicago and nominated William J. Bryan of Nebraska for the presidency, on a platform advocating the free coinage of silver and the institution of many changes in the direction of socialism. The Republicans, on the other hand, advocated the retention of the gold standard, and they also demanded the restoration of the protective system in its entirety. On this platform they nominated William McKinley of Ohio, who was elected. It will be well now to consider in a more connected way some of the leading topics in the political history of this period, and then to examine with care the condition of the country in the census year, 1900.

Politics, 1888–96. Stanwood's *Elections*, ch. xxviii to end. On silver legislation, see Johnston's *Orations*, IV, 296–366.

392. Civil Service Reform, 1868–96. — The system of appointing to office only the members of one's political party was begun by the Federalists, accepted by the early Republicans, and carried to its logical conclusion by Jackson and his successors. The people had paid slight attention to the subject, however, until the scandals that came to light in Grant's second term compelled their observation. Any reform of the civil service is very difficult to accomplish, because no limitation can be placed upon the President's constitutional power of nomination. A reform of this nature also requires the appropriation of money for the payment of

Civil service reform, 1868–96. Johnston's *Orations*, IV, 367–420. Fiske's *Civil Government*, 261.

expenses incurred in its prosecution, and this appropriation can only be made with the consent of both houses of Congress. The active co-operation of the executive and legislative branches of the government is therefore necessary to the beginning and prosecution of a reform of this kind.

Civil Service Commission, 1868.

General Grant was most anxious to give the country a pure and efficient civil service. He willingly consented to have his power of nomination limited for the public good. Congress passed an act (1868) authorizing the President to establish and administer, through a Civil Service Commission, such rules for appointment and promotion of civilian governmental employees as he might think desirable. Grant at once acted on the authority conferred by this act; but Congress was not so mindful of its obligations. After three years of fairly successful trial, it refused to make the appropriations necessary to carry on the work of the Civil Service Commission, and this attempt to improve political life came to an end (1874).

The Pendleton Bill.

Garfield's administration began with a fierce contest between the President and the senators from New York. In the course of time, a custom had grown up of practically leaving to the senators from each state the final decision as to all appointments made in the states they represented. Garfield refused to accede to the wishes of the senators from New York as to the appointment to the most important federal office in that state, — the collectorship of customs in

New York City. The two senators resigned and Garfield was murdered. The people awoke to the necessity of a reform in the mode of appointment to the civil service. Senator Pendleton of Ohio, a Democrat, introduced a bill authorizing the President again to establish the merit system of appointment. Both the Senate and the House of Representatives were controlled by the Republicans; but they accepted this law, and Garfield's successor, President Arthur, assented to it. The Civil Service Commission was again appointed and the reform was begun as to a few specified classes of officials. Gradually, successive presidents have enlarged the number of classes affected by the reform, until now by far the greater part of the civil service is organized on the merit system.

393. **Taxation.** — The war left the country staggering under a heavy load of taxation: the internal revenue duties reached nearly every kind of expenditure, and the high protective duties greatly increased the cost of all manufactured articles. The internal revenue duties were reduced in number and in amount until, in 1872, they were practically abandoned, except as to beer, spirits, and tobacco.

Reduction of internal revenue duties.

It will be remembered that the tariff rates had been increased to counteract the effect of the internal revenue duties on manufactured commodities (p. 492). It would appear reasonable, therefore, that, as the latter were reduced or abandoned, the former should be reduced at the same time. It is one of the peculiarities of the protective system, however, that a protective duty once imposed is very difficult to get rid of. Important interests become alarmed, and are able to advance an argument which undoubtedly has a good deal of force, — the threatened industry has been established or enlarged, and capital has been invested in a plant which would become useless were the industry to be destroyed. Working men and women are also keenly interested in the matter; hundreds and thousands of workers have gained skill of the kind demanded by the industry which is threatened. If the law is repealed, these skilled work-people will

Tariff policy. Johnston's *Orations*, IV. 238–269.

be turned adrift, and they and those dependent upon them left to starve. These and similar arguments have practically operated to retain the war tariff to the present time, notwithstanding the repeal of the internal revenue laws.

Tariff of 1872.

In 1872, when the internal revenue duties came to an end, Congress passed an act making a general ten per cent reduction on import duties; on several commodities, the duties were greatly lowered; for instance, that on salt was reduced one half, and the duty on coal was lowered from one hundred and twenty-five per cent to seventy-five per cent; other commodities, as hides, paper stock, and a few other raw materials for manufacturers' use, were placed on the free list, as were also tea and coffee. Two years later came the financial panic; the revenue fell off, and Congress restored the ten per cent reduction, leaving the other reductions as they were. Nothing more was done until 1882, when a tariff commission was appointed to gather evidence, and, on its report, a slight modification of the protective duties was made. In 1887 President Cleveland brought the matter prominently forward, and for a time it seemed as if something might be done; but nothing of importance was done.

Benj Harrison

McKinley Tariff, 1890.

During Harrison's administration, the Republicans gained control of both branches of Congress and proceeded to "reform" the tariff so as to make it more protective. William McKinley was the chairman of the committee of the House of Representatives which had the subject in charge,

and the bill as passed is usually known as the "McKinley Tariff." It generally raised the rates on protected articles, and added others to the list. One feature of this law deserves to be noted: the offer of reciprocity to those countries which would favor American manufactures. The effect of this policy cannot be stated, for the law was in force for a short time only, as the act was repealed in Cleveland's second term. In its place was substituted a modified tariff, which made a slight approach toward freer trade. The actual effect of tariff legislation is difficult to discover. It is undeniable that great industrial progress was made under the low tariffs which were in force for the fifteen years preceding the Civil War; it is also beyond question that the industrial progress has been enormous in the thirty-five years since Lincoln's inauguration under higher tariffs; and it is certain that the prices of the principal articles of consumption of the great mass of the people were no higher in 1896 under a high tariff than they were in 1860 under the lowest tariff the country has had since 1816.

Wilson Tariff.

In November, 1896, the Republican candidate for the Presidency was William McKinley of Ohio, and the Democratic candidate was William J. Bryan of Nebraska. The campaign was fought mainly on the question of whether gold or silver should be the standard of value in the United States. McKinley stood for the gold basis and won. In March, 1900, Congress passed a law making gold the standard of value and repealing the silver legislation of the preceding years.

Election of 1896.

394. The Cuban Question, 1807–60. — Ever since the beginning of the century Cuba and the Cuban people have had a peculiar interest for the American nation. The island is surpassingly fertile and contains rich mineral deposits. Its position forbids its occupation by any strong foreign power. Its command of the Caribbean Sea makes American control of it almost a military necessity. Its unceasing misgovernment has often angered our people and has frequently given rise to disputes with Spain. As long ago as 1807 Jefferson

Cuban relations.

Jefferson and Monroe on annexation.

suggested that "probably Cuba would add itself to our confederation in case of a war with Spain." In 1823 Monroe declared that Cuba would be "the most interesting addition" to the United States. In 1845 the American government offered to pay one hundred million dollars for the island. The Spaniards replied that they would prefer to see it "sunk in the ocean." Three years later, to another offer, they replied that "to part with Cuba would be to part with national honor." Americans interested in annexation then fitted out expeditions to stir up rebellions in the island. But the American government stopped that proceeding. Foreign powers, however, were alarmed. England and France asked the United States to join with them in a guarantee of the island to Spain. But the American government refused to be a party to any such agreement, because, under some circumstances, its possession "might be essential to our safety" (1852). Two years later the American ministers to England, France, and Spain joined in the "Ostend Manifesto," suggesting annexation by force on the ground that the United States could "never enjoy repose, nor possess reliable security, as long as Cuba is not embraced within its boundaries." The possession of Cuba became a recognized part of Democratic policy and was favored in the platforms of both the Breckenridge and Douglas Democrats in 1860.

"The Ostend Manifesto," 1854. *American History Leaflets*, No. 2.

Cuba, 1868–98.

395. Causes of the Spanish War. — Since the close of the Civil War the misgovernment of Cuba has attracted ever increasing attention. In 1867 the Cubans rebelled. Year after year the insurrection, with its horrible tale of pillage and murder, continued. At length, in 1877, President Grant interfered to effect a separation of the island from its tyrannical masters. Spain at once made concessions which induced the insurgents to lay down their arms. These concessions were never honestly carried into effect. In 1894 another rebellion broke out. Again heartrending tales of cruelty reached the United States. The government did everything possible to prevent assistance being sent to the insurgents.

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Battleship *Oregon*

Destruction of the *Maine*, February, 1898.

The conditions of the Cubans became worse and worse. On January 5, 1898, the battleship *Maine* anchored in Havana harbor to safeguard American interests. On February 15 she was blown up from outside, and sank with two hundred and fifty-three of her crew. An inquiry was at once begun. March 7 Congress placed fifty million dollars in President McKinley's hands for national defense. The substance of the report of the Board of Inquiry was made public on March 21. A week later McKinley sent the full report to Congress, with the statement that it had been communicated to the Spanish government that the Spaniards might take such action as should be "suggested by honor and the friendly relations of the two governments." Spain replied by proposing that the matter should be referred to arbitration.

Spain ordered to withdraw, April 19, 1898.

Events now marched rapidly on. Unless the United States intervened, it was evident that the extermination of the Cuban people would go on until the peace "of the wilderness and the grave" should leave none to resist. Replying to the foreign ambassadors, McKinley declared: "The chronic condition of disturbance there [in Cuba] so deeply injures the interests and menaces the tranquillity of the American nation by the character and consequences of the struggle thus kept at our door, besides shocking its sentiment of humanity," that its "indefinite prolongation . . . has become insufferable." April 19 Congress passed resolutions asserting (1) that the people of Cuba are and of right ought to be free and independent; (2) that it is the duty of the United States to demand the withdrawal of Spain from the island; (3) that the President is authorized to compel Spain's withdrawal; and (4) that the United States has no intention to absorb Cuba, but is determined "to leave the government and control of the island to its people." April 20 a final proposition setting forth this decision was cabled to General Woodford, American minister at Madrid. But before he could present it, he was informed by the Spanish government that diplomatic relations had come to an end.

Sentiment in the United States was divided on this matter,

as on other matters. Seeing that Spanish rule in Cuba could not be longer allowed, many persons held that war was certain. They thought, however, that the United States should choose its own time and mode of attack. Above all, they thought that, if possible, the army and navy should be placed on a war footing and properly armed and drilled before war was begun. They especially deplored the necessity of sending American soldiers to Cuba during the hot season. Some persons even believed the war to be unjustifiable; but they were few in number. War once declared, the whole nation, with scarcely an exception, prepared energetically to support the government. The people of the North and of the South, of the East and of the West, united heartily to do their duty to their country and their flag. The last appearance of sectional divisions ceased. Moreover, it soon was seen that now, after more than one hundred years of discord, the interests of the United States and of Great Britain were at last the same.

The American nation united.

George Dewey

396. **The War on the Sea.** — The President at once declared a blockade of portions of the Cuban coast. At the outbreak of the war the Asiatic fleet under Admiral Dewey was at Hong-Kong. Sailing thence on the declaration of war, it entered Manila Bay in the early morning of May 1. The Spanish fleet in the Philippines was found lying under the guns of the arsenal at Cavite (Ca-vee'-tay), a few miles from the city of Manila. Dewey at once opened fire, and in a few hours destroyed or captured the whole Spanish fleet. No American ship was seriously injured. No American sailor was killed and only six were wounded. The Spaniards

The victory at Manila, May 1, 1898.

lost hundreds in killed, wounded, and missing. Dewey now had the city of Manila at his mercy. But he could not spare enough men from his ships to maintain order in the city, when captured, and to defend it from attack on the side away from the water. He blockaded it and awaited the coming of soldiers, who were speedily sent from the United States under General Merritt.

W. T. Sampson

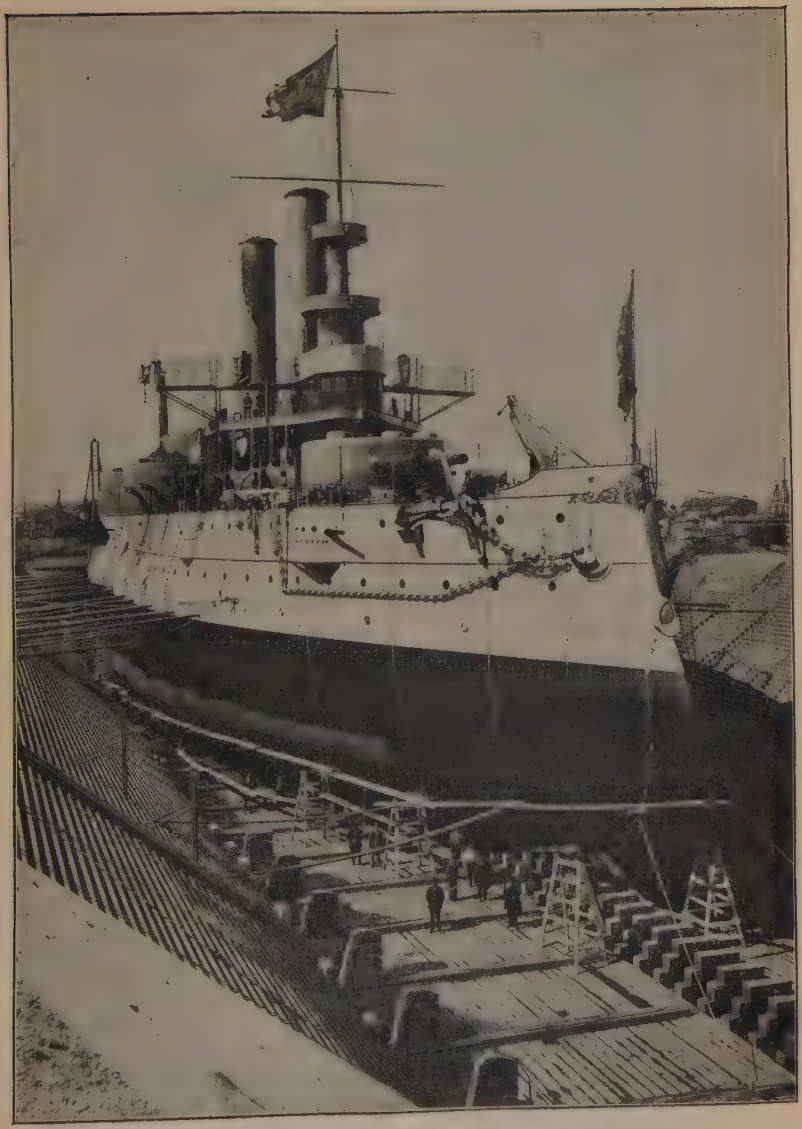
The task of Sampson and Schley.

Admiral Sampson, in command of the North Atlantic fleet, and Admiral Schley, in command of a "flying squadron" stationed at Fortress Monroe, had a more difficult part to perform. With the assistance of a coast patrol they had to protect the Atlantic seaboard, to guard any transports with soldiers that might be sent to the West Indies, to blockade Cuba, and to destroy any fleet that Spain might send to this side of the Atlantic. To do this they had the regular naval vessels, small in number, but each excellent of its kind. Vessels were bought, turned into cruisers, dispatch boats, and transports. The many vessels added to the navy required thousands of sailors to man them. Fortunately many states had naval militia. These men at once volunteered, and with the regular seamen rendered splendid service.

W. S. Schley

The navy in the West Indies.

With the Spanish vessels already in American waters Sampson and Schley had no trouble. The smaller vessels



Battleship *Iowa* in Dry Dock

of the American fleet were able to destroy such of them as ventured to leave port. But Spain possessed half-a-dozen modern armored cruisers, of high speed and heavily armed. Four of them, with three sea-going torpedo boats, were sent across the Atlantic under Admiral Cervera (thār-vā-rä). For a time he eluded the search of the American commanders and then entered the harbor of Santiago de Cuba. There he was immediately blockaded by the combined fleets of Sampson and Schley. The Americans had four battle ships, the *Iowa*, *Indiana*, *Massachusetts*, and *Texas*, and two armored cruisers, the *New York* and *Brooklyn*. To them, while Cervera was sailing around the Caribbean Sea, came the *Oregon*. This battleship was built on the Pacific coast. When the *Maine* was destroyed, the *Oregon* was ordered to make the best of her way to the Atlantic seaboard. Week after week she steamed through the Pacific, passed the Straits of Magellan, and sailed up the eastern coast of South America, reaching Key West after the most splendid voyage ever made by a battleship. She at once took her place in the fighting line.

Cervera's fleet destroyed, July 3, 1898.

Santiago harbor is long; its entrance is blocked by huge mountainous masses, through which a narrow strait leads to the sea. It occurred to Lieutenant Hobson that a vessel, the *Merrimac*, might be sunk across this narrow opening. If this were done, the Spanish fleet could not pass the entrance, elude the blockading squadron, and escape to sea. With six companions he carried out his hazardous scheme. But the Spaniards disabled the *Merrimac* and she was sunk too far in completely to block the channel. The heroism of this deed appealed strongly to gallant Admiral Cervera. He greeted Hobson warmly, and at once sent a boat to the blockaders to assure them that Hobson and his men were alive. Sampson and Schley agreed that the dangers of entering the harbor were too great to permit them to risk their vessels in the narrow channel. They could not get at Cervera's ships. It became necessary to capture Santiago and drive the Spanish ships out or sink them by batteries from the shore. An

army under General Shafter was quickly sent to Santiago. But, before Shafter captured the city, Cervera suddenly put to sea, Sunday, July 3. The American ships cleared for action. The Spanish vessels steered to the westward and a running fight took place. Soon the cruiser *Maria Theresa* was disabled and set on fire. Then followed in rapid succession the destruction of the torpedo boats and of the cruisers *Almirante Oquendo* and *Viscaya*. One cruiser, the *Cristóbal Colon*, maintained the sea for a few hours, because she was so fast. But she too was finally forced to surrender and was sunk by her crew before the American sailors could take possession. A whole fleet was thus destroyed in a few hours, hundreds of seamen were killed, wounded, and drowned. About sixteen hundred men were captured. And all this at the cost of one American killed and two wounded! Moreover, the American ships were practically uninjured.

Another Spanish fleet.

Meantime Spain had sent a few warships through the Suez Canal. It was said that they were to go to the Philippines to dispute for those islands with Admiral Dewey's fleet. But the news of the destruction of Cervera's vessels and the threat to send an American squadron to Spain induced the Spanish government to order them to return to Spain.

The lessons.

Such in brief is the story of the principal doings of the American navy. Never, perhaps, in the history of the world, has sea power so forcibly and so completely asserted itself. The lesson is one full of instruction to the American people. Furthermore, in all these naval operations, in the creation of a whole fleet of blockaders and cruisers, in caring for the health of the men, and in fighting the enemy, there was not one false step.

Organization of the army.

397. The Land Campaigns. — As soon as war was declared, President McKinley called for volunteers, and later he issued a second call. In all, over two hundred thousand volunteers were mustered into the service. Veterans of the Civil War, on both sides of that terrible strife, furnished excellent officers. Oftentimes, however, inexperienced men were placed in charge of companies and regiments. The result was soon

apparent in the terrible state of the health of the soldiers of many regiments. Furthermore, the army had no great magazines filled with modern weapons and modern munitions of war. Volunteer regiments were armed with old-fashioned weapons, which placed them at great disadvantage with the Spaniards. Young men of all walks of life eagerly offered their services. Militia regiments volunteered in bulk or most of the members of such regiments were enrolled in new regiments with the same designation. The regular army was recruited to its full strength and brought to the east. The first active service in the field was in the Santiago campaign.

Nelson A. Miles

Santiago expedition.

Wesley Merritt

The navy held Cervera blockaded in Santiago harbor; but it was necessary to send an army to capture Santiago. On June 22 and 23 fifteen thousand men under General W. R. Shafter landed on the coast not far to the east of the entrance to the harbor. Most of these soldiers were regulars. But there were several volunteer regiments, among them Roosevelt's "Rough Riders." They, as well as the regular cavalry, fought on foot. June 24 the cavalry and "Rough Riders," advancing toward Santiago, came across the Spaniards, and a hot skirmish took place. In the end the

enemy was driven away. The roads were poor. The country was rough. The heat was terrible. To add to all these obstacles the rains set in. Nevertheless the heroic little army pressed forward, and by June 28 was within three or four miles of the city. On July 1 Caney and San Juan (san-hwan) two strongly fortified hills, were carried by assault. The American loss was heavy, for the soldiers were obliged to charge across valleys and up steep hills in face of a murderous fire from the Spaniards stationed in blockhouses and in rifle pits. Reinforcements were hurried to Shafter's aid. On July 3 Cervera's fleet, which might have seriously interfered with the Americans, put to sea and was destroyed. The lines were now drawn around the city until the intrenchments stretched for eight miles. The Cuban insurgents blocked the roads by which reinforcements might reach the city. The warships threw shells over the hills, and guns were placed in position, commanding the defenses. The garrison surrendered on condition of being transported to Spain at the expense of the United States. With the soldiers actually in Santiago were surrendered others in outlying garrisons in eastern Cuba. July 17 Shafter entered the city.

W. R. Shafter

Condition of the soldiers.

The surrender came in good time, for the condition of the American soldiers was deplorable. Clad in clothes unsuited to the climate, fed on food equally unsuited to the climate, and often not fed at all, the men stood hour after hour ankle deep in mud, — sometimes knee deep in water, — exposed to the sun and the rain. At night they slept on the water-soaked ground without shelter from the evening mists. Fevers attacked them, and those who recovered

Santiago Harbor and City

were often too weak to resist ordinary diseases and the terrible scourge of Cuba, — yellow fever. Other regiments were sent to take their places, and the heroes of Santiago were brought north to a camp on Long Island.

Invasion of Porto Rico.

Cervera's fleet destroyed, and Santiago captured, General Nelson A. Miles, a veteran of the Civil War and now commanding the United States army, led an expedition to Porto Rico, an island of abounding fertility and of great wealth. Instead of landing near San Juan, the fortified capital of the island, he disembarked (August 1) near Ponce (pōn-thā) on the other side of the island, and the most important town of Porto Rico. Hardly a fight occurred. The Spanish troops withdrew and the inhabitants warmly welcomed the invaders. The Ameri-

cans, admirably led, pressed on across the island, when the approach of peace stopped the further armed invasion.

The fall of Manila, August 17, 1898.

As soon as the news of Dewey's brilliant victory was received, preparations were begun to send him the soldiers that he needed to capture and hold Manila. The command of the army was given to General Wesley Merritt, a great soldier, who, like Miles, had rendered distinguished service in the Civil War. It proved to be very difficult to secure suitable transports on the Pacific coast. As fast as troops and transports could be got ready, they were sent from San Francisco. The first expedition left California on May 25. But it was the end of July before the land attack on Manila was begun. Meantime the insurgents, for there were insurgents in the Philippines as well as in Cuba, were blockading the city on the land side, while Dewey blockaded it from the water. July 31 the Spaniards suddenly attacked the American lines in the darkness of the night. After a hard fight, in which both regulars and volunteers did splendid work, the enemy was beaten off with heavy loss. Finally, on August 13, after more troops had arrived, Dewey and Merritt made a joint attack. The city surrendered after a slight resistance.

Signing of the protocol, August 11, 1898.

398. Conclusion of Hostilities. — July 26 the French ambassador at Washington, on behalf of Spain, inquired upon what terms peace might be had. The President stated the conditions. After some delay on the part of Spain these terms were set down in a preliminary agreement or protocol, as it is termed by the diplomatists. This agreement was signed August 11. It provided in brief (1) that Spain shall relinquish all claim of sovereignty and title to Cuba and cede to the United States Porto Rico and all other Spanish West India islands and an island in the Ladrones. (2) The city, bay, and harbor of Manila to be held by the Americans until a final agreement as to the Philippines shall be made. (3) Hostilities shall immediately cease. The President at once issued a proclamation directing the American armies to cease further aggressive operations.

Annexation of Hawaii, 1898.

Meantime the Manila campaign had shown the strategic importance of Hawaii. Before this, indeed, Hawaii and the other Sandwich Islands had attracted attention in the United States. American capital is largely invested in sugar and other plantations in those islands, and the white men are generally of American parentage. For many years the natives and the whites lived happily together. But in time less wise rulers succeeded. Successful rebellion was the result. A republic was instituted and annexation to the United States proposed. For some time the matter remained undecided, but in July, 1898, Hawaii was declared annexed by joint resolution. This provided for the appointment of a commission of five, of whom at least two should be resident Hawaiians. This commission shall recommend to Congress such legislation as may seem advisable. Until Congress shall pass legislation of this kind the government of the islands shall be carried on as the President from time to time may direct. There are forty-five thousand Chinese and Japanese in the islands, forty thousand native Hawaiians, and only five thousand English speakers. Captain Mahan, the greatest authority on naval strategy, has stated that the possession of these islands is essential for our protection. With Hawaii in our hands, few nations can attack the Pacific coast of the United States.

The Revenue Act.

Plainly the fifty million dollars would not long support active war. Other measures were necessary; new taxes were provided and a loan was authorized. The new taxes contained, among others, provisions for annual taxes to be paid by bankers, brokers, theatrical managers; stamps must be affixed to bank checks, stocks and bonds, public telephone messages, telegrams, and patent medicines; also legacies were taxed, and the tax on beer was increased. These taxes were very successful and, at one time, brought in two hundred million dollars a year.

The war loan.

The Secretary of the Treasury asked for public subscriptions to a loan of two hundred million three-per-cent bonds at par. Subscriptions were received for as small amounts as twenty dollars. The

amount subscribed was nearly fourteen hundred millions. The year 1897–1898 was one of great prosperity. Especially foreign trade increased, exports reaching the enormous total of twelve hundred million dollars. Of this total more than three hundred million dollars was in manufactured goods. The largest single export was grain. Indeed, so prosperous was the country, that the pressure of the war was scarcely felt.

On December 10, 1898, American and Spanish commissioners signed a treaty of peace at Paris. Following the terms of the protocol (p. 569) Spain gave up all claim to sovereignty in Cuba and ceded Porto Rico and other smaller islands to the United States. Before news of the signing of the protocol could reach the Philippines the American soldiers, aided by the fleet, captured Manila. It was now arranged that Spain should cede the whole Philippine group to the United States and should receive twenty million dollars. For a time the inhabitants of the Philippine Islands, or some of them, desired to be an independent nation and resisted the armed forces of the United States. By 1902, however, peace was established throughout the islands.

The Philippines.

It will be remembered that the United States came into the possession of Cuba under a pledge to give independence to the people of that island. This did not prove to be possible at once and for some years military government was in force there, first under General John R. Brooke and later under Major General Leonard A. Wood. In 1902, however, the United States troops were withdrawn and the island was turned over to its inhabitants under certain restrictions as to its government and relations with other nations. In 1904 arrangements were completed for giving trade advantages to the Cubans.

Cuba, 1898–1904.

399. Population, 1900. — Since 1860 the population has more than doubled, and is given in the census of 1900 as seventy-six millions; in 1880 it was fifty millions. The estimate for 1900 includes Alaska but does not include the

Numbers.

Philippines, Porto Rico, Hawaii, and other islands; adding these to the continental part of the United States, the total population is estimated at about eighty-five millions. During the Civil War immigration fell off, but as soon as peaceful conditions again prevailed foreigners began to come into the country in increased numbers. In the ten years ending with 1900, nearly four million immigrants entered the United States. This was a smaller number than came in the ten years preceding 1890, but since 1900 the number has again risen — no less than eight hundred and fifty-seven thousand coming in the year 1903. In 1900 there were ten million foreigners living in the country; these formed nearly fourteen per cent of the population. The Germans were the most numerous of any one race with two and one half millions, the English with the Norwegians and the Swedes numbered rather less than two millions, — a total Germanic foreign-born population of nearly four and one half millions. The Celtic foreign-born population was nearly two millions, of whom the Irish formed more than one and one half million; the remainder being immigrants from Scotland and Wales. There are also more than one million Canadians living in the United States; they are partly of English and partly of French extraction, but many of them are immigrants from Europe who have tried Canada before finally coming to the United States. It may be said, as the result of this study of the census figures, that immigrants of Germanic and Celtic stocks form over three quarters of the total foreign-born population of the country. It should be noted, however, that Italians, Bohemians, Hungarians, and Russians have thronged to the United States in recent years, no less than one half million landing in the year 1903.

Immigration.

The conditions of living in the South still prevent immigration to that region, although there is some improvement in this respect: out of the ten million immigrants whose parentage we have just been noting, less than one half million dwell in the old slave states. These are the figures as given in the official tables, but many of those who are

here enumerated among the foreign-born residents of the United States are only temporary residents. Hardy fishermen come from the Maritime Provinces of Canada every spring to man the fishing vessels of New England; other Canadians come to work in the fields and the mills of the North. Many of these fishermen, laborers, and mill hands return home in the autumn, and others remain for a year or two only; they all appear in the tables as residents. Moreover, many Canadian fishermen and laborers come to the United States summer after summer, counting each time as one immigrant; in this way one man may often be represented in the tables as ten or more immigrants. The same thing is true of the Italians, who frequently return home for the winter or after a few years of toil; these, too, appear in the lists as immigrants, while, as a matter of fact, they are rather to be classed as visitors. But when every deduction has been made, the constant influx of immigrants has been one of the chief factors in our prosperity. They have made possible the building of our railroads, mills, and warehouses; they perform much of the work required in running our mills, and our great agricultural and grazing establishments; they descend into our mines and make accessible the mineral wealth of the country. In short, the value of the work done by immigrants in building up American industries has been enormous; and it should never be underestimated in a consideration of the forces which have made the United States what it is. Many persons think, however, that the time has now come when some limitation should be placed on immigration.

Distribution of population.

400. Distribution of Population, Area, etc. — The settled area of the continental United States has increased from a little over one million square miles in 1860 to two million square miles in 1900. At the same time the urban population has greatly increased: in 1860 about sixteen per cent of the people were gathered in cities and towns; in 1890 thirty-three per cent of the population was classed as urban. The great cities have all grown. New York, including

The cities.

Brooklyn, contained in 1900 nearly three and one half million inhabitants, or more than the total population of the United States at the close of the Revolutionary War. It is now the second city in the world in point of numbers, being exceeded only by London. The growth of Chicago has been startling; in thirty years its population increased tenfold, numbering over one and one half million in 1900; it is now the second city in the United States and the fifth in the world. The population of Philadelphia has also doubled in thirty years, and stood at over a million in 1900.

The center of population has been affected by both the circumstances just noted: the increase of the settled area, mainly in the West, and the great increase in the urban popu-

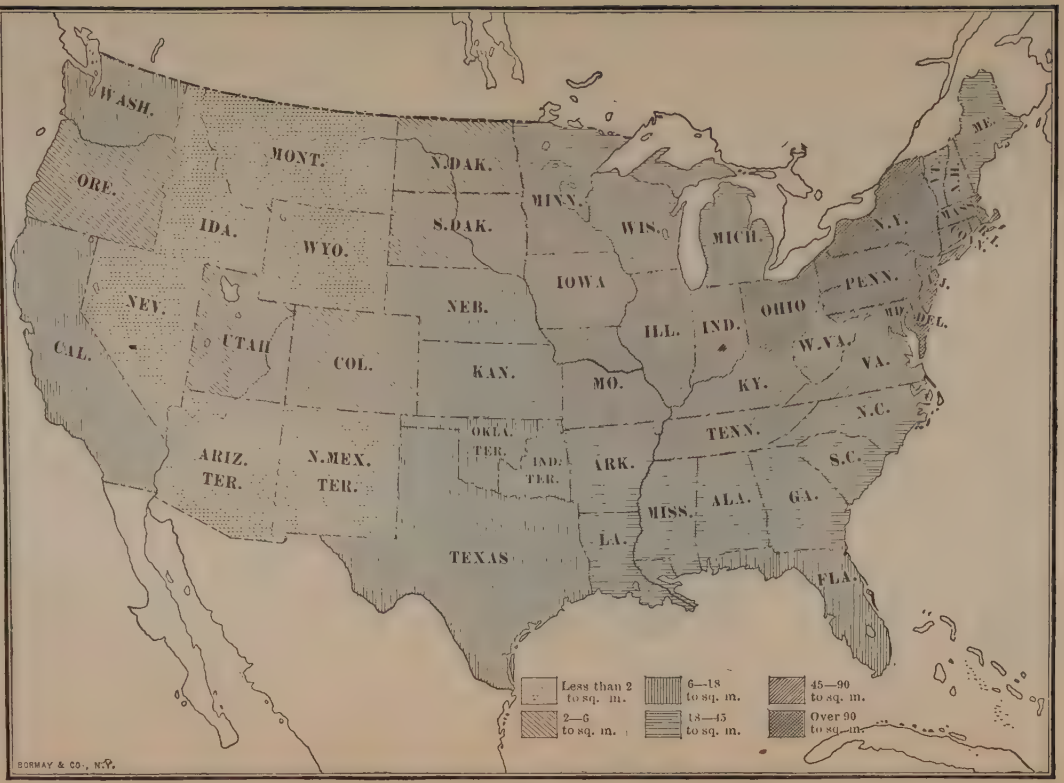
The Brooklyn Bridge

Center of population.

lation, which has been confined mainly to the states east of the Mississippi. In thirty years the point denoting the center of population has moved westward more than one hundred and fifty miles, and was near Columbus, Indiana, in 1900. It should be noted, however, that its westward movement in the decade ending in 1900 was less than in any other decade since the taking of the first census in 1790. Indeed, the increase in the population of the country east of Indiana has been so much greater than the growth of population west of that state, that the center of population is now practically stationary.

Expansion of the railroad system.

401. Transportation, 1900. — Hand in hand with this great development in population, this growth of cities, and this increase of cultivated land, the railroads have multiplied until the United States contained in 1900 one half of the



Density of Population, 1900

railroad mileage of the world. In 1860 there were thirty thousand miles of railway in the United States; in 1900 there were nearly two hundred thousand miles. With this great expansion of the railway system, the service has constantly been improved. Charges for the transportation of passengers and freight have enormously decreased, and with them rates on water transportation have also declined. In 1880, for example, it cost nineteen cents to carry a bushel of wheat from Chicago to New York by rail; in 1900 it cost less than ten cents.

Regulation of railroad rates.

These low rates were possible, of course, only in those sections of the country where there was an enormous traffic; in those portions of the country which were recently settled, or were devoted mainly to agriculture, the railroad companies could not carry goods on such favorable terms. This was especially true in the purely agricultural states of the Northwest. The farmers of those regions banded together into societies termed "granges," and sought, by legislation, to compel the railroads to lower their charges to rates which would not repay the cost of transportation. This "granger legislation," as it was called, compelled the roads to diminish expenses in every way. It resulted in a great decrease in the efficiency of the service, and put an end to railroad building in those portions of the country.

The relations of the railroad corporations to the people

also aroused attention in the East, especially in Massachusetts, where a railroad commission was instituted by act of the state legislature. At first the functions of this body were largely conciliatory and advisory; the system worked well for both the people and the railroads, and, as time went on, the powers of the commission were enlarged. Other states acted on similar lines, and, in 1887, the Federal Congress established a national commission to regulate interstate commerce. This last commission has authority to prohibit discriminating rates, the "pooling" of traffic, and the division of receipts. These processes had been resorted to by the great railway systems to avoid competition, and worked to the undue favoring of large shippers of goods and large centers of traffic. The Interstate Commerce Commission has accomplished some good, though less than its promoters expected. The tendency of recent years has been to join together in great corporations or trusts the railroad systems of the several sections.

Interstate Commerce Commission, 1887.

Analysis of railroad business.

Most of the effects of the marvelous change produced by steam transportation have been confined to the northeastern section of the country: one half of the passenger railway movement of the United States is in the region east of the Alleghanies and north of the Potomac; another quarter is confined to the four states of Ohio, Indiana, Michigan, and Illinois — in other words, three quarters of the whole movement is east of the Mississippi and north of the Potomac and the Ohio; the South contributes but one eighth and the country west of the Mississippi to the Pacific gives the rest. The cause of the industrial activity in the northeastern states indicated by these figures is to be found in the great development of manufacturing, milling, and mining industries in that region.

Manufacturing industries.

402. Industrial Development, 1860–1900. — In 1860 the manufactured products of the United States were valued at slightly over four billion dollars; in 1900 the estimate had risen to over thirteen billion dollars, — the United States then exceeding in the total value of its manufactures every foreign

country, and also in the value of manufactured articles in proportion to the total population. This expansion is only partially shown by the increase in value of the manufactured product, as prices of these commodities have very materially declined since 1860. The most remarkable case of growth in this period is seen in the iron and steel industries. The amount of pig iron produced in 1860 was less than one million tons; in 1880 it had risen to over four million tons, and in 1900 to over thirteen million tons. In 1890 Great Britain, which had heretofore been the largest producer of iron in the world, fell behind, and took second place. The increase in the production of steel has been even greater: in 1865 it was thirteen thousand tons, in 1880 it was over one million tons, and in 1900 it was over ten million tons. This remarkable growth has been due to several causes, among which may be mentioned the cheapening of the cost of pig iron by improvements in the construction of the blast furnaces, which have brought about great economies in the use of fuel. The application of scientific methods, especially the Bessemer process, and the use of improved appliances in every stage of production, have greatly contributed to this marvelous result, which has been made possible by the access to the great markets of the United States without fear of foreign competition. Indeed, it is not at all unlikely that in the near future steel will be produced in America at a lower cost than in either Great Britain or Germany, notwithstanding the comparatively low wages which operatives earn in those countries.

Iron.

Steel.

Agricultural industries.

403. Agricultural Development, 1860–1900.—This increase in productive capacity has not been confined to manufacturing and mining industries; there has also been an extraordinary development in agricultural production. The area under cultivation has doubled since the Civil War, and the application of better methods has also greatly affected the cultivation of the more important staples. For years agriculture was carried on by poor and wasteful methods, but lately the application of scientific methods in large sections

of the country has enabled the cultivator to win larger returns from his land, although not so large proportionate returns from the application of labor and capital to the land. The ruder system of the earlier time was better suited to the conditions then prevailing — a fact which foreign critics have invariably overlooked. They always forget that the problem which the Western farmer had to face until recent years was how much he could get in return for a given amount of effort, and not how much he could gain from a certain amount of land by the application of labor and capital. Land was then abundant and easy to acquire, while labor and capital were both scarce and difficult to obtain. In 1865 the United States produced about one billion bushels of corn; in 1890 it produced two and one half billion bushels. The largest crop of cotton produced by slave labor (1859) was about four and one half million bales; in 1899, under free labor, the crop was over eleven million bales.

National income and expenditures.

404. Prosperity, 1900. — The national income and expenditures have increased out of all proportion to the population. The income of the federal government in 1860 was fifty-five million dollars, — in 1900 it was over five hundred and sixty-seven million dollars; the expenditures in 1860 were sixty-five million dollars, — in 1900 they were four hundred and eighty-seven million dollars. The exports and imports more than doubled in the forty years under review, and amounted to about two thousand millions each, in 1900 the exports exceeded the imports by five hundred millions.

National debt.

The national debt of the United States in 1900 was nearly eleven hundred million dollars, or twelve dollars per head. This total includes the paper money issued by the government and the interest-bearing debt. The aggregate debt of the several states, counties, municipalities, and school districts now exceeds that of the nation as a whole; in 1900 the former was over one billion dollars, or a little over eighteen dollars per head. It will be interesting in this connection to cite a few figures by way of comparison. They are compiled from the "World Almanac" for 1906: —

Country	Millions of Dollars		Area (Square Miles)	Population
	Wealth	National Debt		
United States	100,000	925	3,602,990 (Including Islands 3,756,884)	83,609,000 (Including Islands 92,500,000)
Great Britain (Not including India and the colonies)	58,000	3885	120,379	41,605,177
Germany	40,000	698	208,830	56,367,178
France	42,000	5856	207,054	39,118,995
Russia	35,000	3414	8,660,395 (Includes Siberia and Central Asia)	129,004,514
Austria-Hungary	20,000	7107	261,035	46,973,359
Italy	13,000	2560	110,550	32,475,253

The banking capital of the United States exceeds that of Great Britain and there is more gold in the United States than in Great Britain. The American post office carries nearly as much mail matter as all the post offices of Europe. Finally, the average earnings of an inhabitant of the United States are given by this foreign compiler as more than double those of an average inhabitant of Europe.

The meaning of the facts as to production and wealth given in the preceding sections can be best understood, perhaps, in the light of a computation made by Edward Atkinson, the American statistician. He states that a "portion," consisting of food, fuel, and materials for clothing, which corresponds to the average daily consumption of artisans and mechanics in New England, could be purchased in 1860 for thirty-one cents, and in 1890 for thirty cents, although in the meantime the average daily wage has increased from one dollar and sixty cents to two dollars and sixty cents. Since then both wages and the cost of living have somewhat increased.

Comparative prices.

405. McKinley and Roosevelt, 1900–04. — In November, 1900, William McKinley and Theodore Roosevelt were elected President and Vice President by a very large major-

ity over the Democratic candidates. On September 6, 1901, President McKinley was murdered by an insane man, while attending the Pan-American Fair at Buffalo in the state of

Death of McKinley, 1901.

President McKinley

New York. By the untimely death of this kindly and able chief magistrate, Roosevelt became President.

The turn of the century saw a rising spirit of unrest in China which ended in a movement against the introduction of foreign methods and modern reforms which is known as the Boxer Rebellion. This finally took the form of an attack on the foreign embassies in Pekin, the capital of China.

The United States a World Power, 1900.

The United States, the principal nations of Europe, and Japan, united to rescue their representatives from the Chinese. This was done with some difficulty; but the incident is especially interesting to Americans because it was the first time that any considerable body of American soldiers found themselves acting in company with troops from Russia, Germany, France, Great Britain, and Japan, or, indeed, from any foreign country. It marks the entrance of the United States into the arena as a world power and the breaking down of that policy of isolation which was dear to Washington and to Jefferson; but it is very possible that if these great men were now living, they would view the matter very differently from what they did one hundred and more years ago.

The coal strike, 1902.

The summer of 1902 also witnessed the most far-reaching strike in the history of the country, when the miners of anthracite coal refused longer to work on the conditions offered them by the owners of the mines or by those who operated them. At one time it seemed as if great hardship would be caused throughout the North by the lack of the fuel which is used for heating houses. President Roosevelt, however, interfered and appointed five commissioners to hear the contending parties and to propose, if possible, a basis of settlement between them, on the understanding that in the meantime the striking miners should return to work. In this way suffering was lessened, and Congress, by voting money for the salaries and expenses of the Commission, ratified the action of the President.

The Alaskan Boundary, 1903.

406. Alaska and Panama. — In the winter of 1896–97, gold was discovered in the valley of the Klondike River, in Canada, two thousand miles up the Yukon River, which flows through Alaska. Soon millions of dollars' worth of gold dust began coming from this region and also from Cape Nome on the northwest coast of Alaska. It happened that the easiest way to the Klondike was over territory which was partly in Alaska and partly in Canada. This led to a new examination of the frontier between the possessions of

the United States and of Great Britain in that part of the world. After long negotiation, the matter was settled mainly in favor of the United States by a joint court which sat at London in 1903.

The Panama Canal.

Almost from the time of the discovery of the Pacific by Balboa, proposals have been made for digging a canal across the Isthmus of Panama. But the difficulties offered by the steep mountains and the rivers subject to sudden floods postponed the carrying out of this project, although the distance from Panama, on the Pacific, to Colon, on the Caribbean, is only forty-six miles in a straight line. At length, in 1881, Ferdinand de Lesseps, a French engineer under whose direction the Suez Canal had been dug, undertook the cutting of a sea-level canal across the Isthmus. This plan was abandoned, however, after a great deal of money had been spent. A second French company then undertook the construction of a canal with locks. The people of the United States have always been greatly interested in the project of making a canal between the Atlantic and the Pacific, and since the acquisition of Hawaii and the Philippines this interest has, if anything, increased. Before 1904, however, obstacles of one sort or another have prevented the realization of this desire. In this year, however, events so shaped themselves that it became possible for the United States to enter upon the construction of this important waterway.

Causes of our prosperity.

The chief causes of our prosperity in the past have been the frugality, energy, and personal independence of our people; the rapid development of invention; equality of all men in the eye of the law; free institutions and the breaking loose from the prejudices of European societies. These qualities, inherent in the races from which the American people has sprung, without the barriers to human activity which surrounded them in their old homes, have been combined in the United States with a good climate, splendid soil, wonderful mineral resources, and free trade over an enormous extent of territory. These conditions have made the American people what it is; they are all still present in the inhabitants

of the United States and in the country in which they dwell. Great as has been the progress of the American nation in the past, there is every reason to believe that its achievements in the arts of peace have but just begun.

SUGGESTIVE QUESTIONS AND TOPICS

§ 375. The Situation in 1865

Classify the problems which met the American people in 1865 under four heads; make clear statements of each problem in notebook, and enter under it the specific efforts towards solution made between 1865 and the present time. In handling which of these problems has the American people shown marked ability? great lack of intelligence?

§§ 376–392. Constitutional and Political History, 1865–97

a. Is it true that our pension appropriations demand from the people an amount sufficient to support one of the standing armies of Europe?

b. What well-founded objection could be made to Congress's pledge "to redeem the public obligations in coin at their face value"?

c. What were the constitutional difficulties in the way of reconstruction? Look up the following theories: the Presidential, the Congressional, Sumner's, Stevens's, the Davis-Wade theory, the Supreme Court theory. Was the reconstruction policy of Johnson identical with that of Lincoln? In your opinion, was reunion possible through any such policy?

d. The Fourteenth Amendment: enumerate the legal rights with which the negro was invested by the first sentence; what are the "privileges or immunities of citizens of the United States"? what provisions of § 1 are found in the Fifth Amendment? define "a person."

e. How was slavery extinguished in Kentucky and Delaware?

f. Discuss the wisdom of granting the franchise to immigrants before naturalization. Has the time come to place some limitation on immigration?

g. What are the two great sources of national revenue? Explain each and give arguments for and against it. Enumerate other possible methods of taxation and discuss their merits; which of them are forbidden by the Constitution, and why?

h. What is the difference between a revenue tariff and a protective tariff? What were the two foremost protective states, and why? What is their attitude to-day, and why? Characterize the arguments in favor of the first tariff; how do they differ from present-day arguments?

i. Explain tonnage, discrimination, registry, clearance. State effects of tonnage and discriminating acts upon our shipping interests; upon foreign shipping interests.

j. Discuss the President's "power of removal." Has the President

the right to test the constitutionality of a law by laying the case before the Federal Judiciary? Discuss the expediency of his so doing.

k. What are the three great political issues of to-day? Trace the history of each dispute and forecast the future.

l. Prepare entries in note-book under "Negro Slavery" for continuous recitation under the following heads: (1) origin, (2) position in 1760, (3) position in 1800, (4) influence of cotton culture on, (5) rise of the abolitionists, (6) right of petition, (7) territorial expansion, (8) Texas, (9) Mexican cessions, (10) compromise of 1820, of 1850, (11) fugitive slaves, (12) Kansas-Nebraska act, (13) struggle in Kansas, (14) rise of the Republican party, (15) the Dred Scott case, (16) the Emancipation Proclamation, (17) amendments to the Constitution, (18) present position of the negro in the South.

§§ 394–398. The Spanish War

a. Was the war inevitable? Was it justifiable?

b. Had you been a senator or representative, how would you have voted on the resolution of April 19? Give your reasons in full.

c. Comment on the statement (p. 565) that "never, perhaps, in the history of the world, has sea power so forcibly and so completely asserted itself."

d. Why are the Hawaiian Islands of strategic importance?

e. Do you think that the United States should or should not have "colonies"? What are the reasons for your opinion?

§§ 399–404. Industrial History, 1865–1900

a. What influence has each of the following commodities exerted upon the history of the American people: (1) corn, (2) cotton, (3) tobacco, (4) wheat? Trace in a similar way the influence of great inventions and improvements in industry: (1) the cotton gin, (2) the agricultural machinery, (3) the electric telegraph, (4) the railroad. Describe the influence of the textile industries upon our history; of the iron and the steel industries.

b. Trace the growth of the urban population from 1800 to the present day. How do you account for the increase? in your opinion is the growth of cities favorable or unfavorable to higher civilization?

c. Tabulate the growth of the chief manufactures of the states which seceded between 1865 and the present day. What causes tend to make the South a manufacturing region? What will be the effect of the establishment of the protected industries in the South?

§§ 405, 406. Recent History

a. If you had been a voter in 1896, how would you have voted, for Bryan or for McKinley? Why?

b. Could the United States have refused to take part in the Chinese War?

c. Was President Roosevelt's interference in the coal strike constitutional?

d. Why should the United States dig the Panama Canal?

General Questions

Review in note-book all entries under Civil Service, The Tariff, Currency, and make continuous recitation on each topic. What headings have wholly dropped out of sight since 1876? What powers have you gained by keeping this note-book during your study of American history? Can you devise a better method for tracing the origin and development of historical institutions and movements? What headings should you recommend that have not been mentioned in the questions?

DECLARATION OF INDEPENDENCE

In Congress, July 4, 1776,

THE UNANIMOUS DECLARATION OF THE THIRTEEN UNITED STATES OF AMERICA,

WHEN in the Course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the Powers of the earth, the separate and equal station to which the Laws of Nature and of Nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness. That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed, That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness. Prudence, indeed, will dictate that Governments long established should not be changed for light and transient causes; and accordingly all experience hath shown, that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, pursuing invariably the same Object evinces a design to reduce them under absolute Despotism, it is their right, it is their duty, to throw off such Government, and to provide new Guards for their future security. — Such has been the patient sufferance of these Colonies; and such is now the necessity which constrains them to alter their former Systems of Government. The history of the present King of Great Britain is a history of repeated injuries and usurpations, all having in direct object the establishment of an absolute Tyranny over these States. To prove this, let Facts be submitted to a candid world.

He has refused his Assent to Laws, the most wholesome and necessary for the public good.

He has forbidden his Governors to pass Laws of immediate and pressing importance, unless suspended in their operation till his Assent should be obtained; and when so suspended, he has utterly neglected to attend to them.

He has refused to pass other Laws for the accommodation of large districts of people, unless those people would relinquish the right of Representation in the Legislature, a right inestimable to them and formidable to tyrants only.

He has called together legislative bodies at places unusual, uncomfortable, and distant from the depository of their Public Records, for the sole purpose of fatiguing them into compliance with his measures.

He has dissolved Representative Houses repeatedly, for opposing with manly firmness his invasions on the rights of the people.

He has refused for a long time, after such dissolutions, to cause others to be elected; whereby the Legislative Powers, incapable of Annihilation, have returned to the People at large for their exercise; the State remaining in the mean time exposed to all the dangers of invasion from without, and convulsions within.

He has endeavoured to prevent the population of these States; for that purpose obstructing the Laws for Naturalization of Foreigners; refusing to pass others to encourage their migration hither, and raising the conditions of new Appropriations of Lands.

He has obstructed the Administration of Justice, by refusing his Assent to Laws for establishing Judiciary Powers.

He has made Judges dependent on his Will alone, for the tenure of their offices, and the amount and payment of their salaries.

He has erected a multitude of New Offices, and sent hither swarms of Officers to harass our People, and eat out their substance.

He has kept among us, in times of peace, Standing Armies without the Consent of our legislature.

He has affected to render the Military independent of and superior to the Civil Power.

He has combined with others to subject us to a jurisdiction foreign to our constitution, and unacknowledged by our laws; giving his Assent to their acts of pretended legislation:

For quartering large bodies of armed troops among us:

For protecting them, by a mock Trial, from Punishment for any Murders which they should commit on the Inhabitants of these States:

For cutting off our Trade with all parts of the world:

For imposing taxes on us without our Consent:

For depriving us in many cases, of the benefits of Trial by Jury:

For transporting us beyond Seas to be tried for pretended offences:

For abolishing the free System of English Laws in a neighbouring Province, establishing therein an Arbitrary government, and enlarging its Boundaries so as to render it at once an example and fit instrument for introducing the same absolute rule into these Colonies:

For taking away our Charters, abolishing our most valuable Laws, and altering fundamentally the Forms of our Governments:

For suspending our own Legislature, and declaring themselves invested with Power to legislate for us in all cases whatsoever.

He has abdicated Government here, by declaring us out of his Protection and waging War against us.

He has plundered our seas, ravaged our Coasts, burnt our towns, and destroyed the lives of our people.

He is at this time transporting large armies of foreign mercenaries to compleat the works of death, desolation and tyranny, already begun with circumstances of Cruelty & perfidy scarcely paralleled in the most barbarous ages, and totally unworthy the Head of a civilized nation.

He has constrained our fellow Citizens taken Captive on the high Seas to bear Arms against their Country, to become the executioners of their friends and Brethren, or to fall themselves by their Hands.

He has excited domestic insurrections amongst us, and has endeavoured to bring on the inhabitants of our frontiers, the merciless Indian Savages, whose known rule of warfare, is an undistinguished destruction of all ages, sexes and conditions.

In every stage of these Oppressions We have Petitioned for Redress in the most humble terms: Our repeated Petitions have been answered only by repeated injury. A Prince, whose character is thus marked by every act which may define a Tyrant, is unfit to be the ruler of a free People.

Nor have We been wanting in attention to our Brittish brethren. We have warned them from time to time of attempts by their legislature to extend an unwarrantable jurisdiction over us. We have reminded them of the circumstances of our emigration and settlement here. We have appealed to their native justice and magnanimity, and we have conjured them by the ties of our common kindred to disavow these usurpations, which, would inevitably interrupt our connections and correspondence. They too have been deaf to the voice of justice and of consanguinity. We must, therefore, acquiesce in the necessity, which denounces our Separation, and hold them, as we hold the rest of mankind, Enemies in War, in Peace Friends.

We, therefore, the Representatives of the united States of America, in General Congress, Assembled, appealing to the Supreme Judge of the world for the rectitude of our intentions, do, in the Name, and by

Authority of the good People of these Colonies, solemnly publish and declare, That these United Colonies are, and of Right ought to be Free and Independent States; that they are Absolved from all Allegiance to the British Crown, and that all political connection between them and the State of Great Britain, is and ought to be totally dissolved; and that as Free and Independent States, they have full Power to levy War, conclude Peace, contract Alliances, establish Commerce, and to do all other Acts and Things which Independent States may of right do. And for the support of this Declaration, with a firm reliance on the Protection of Divine Providence, we mutually pledge to each other our Lives, our Fortunes and our sacred Honor.

JOHN HANCOCK.

New Hampshire — JOSIAH BARTLETT, WM. WHIPPLE, MATTHEW THORNTON.

Massachusetts Bay — SAML. ADAMS, JOHN ADAMS, ROBT. TREAT PAINE, ELBRIDGE GERRY.

Rhode Island — STEP. HOPKINS, WILLIAM ELLERY.

Connecticut — ROGER SHERMAN, SAM'EL HUNTINGTON, WM. WILLIAMS, OLIVER WOLCOTT.

New York — WM. FLOYD, PHIL. LIVINGSTON, FRANS. LEWIS, LEWIS MORRIS.

New Jersey — RICHD. STOCKTON, JNO. WITHERSPOON, FRAS. HOPKINSON, JOHN HART, ABRA. CLARK.

Pennsylvania — ROBT. MORRIS, BENJAMIN RUSH, BENJA. FRANKLIN, JOHN MORTON, GEO. CLYMER, JAS. SMITH, GEO. TAYLOR, JAMES WILSON, GEO. ROSS.

Delaware — CÆSAR RODNEY, GEO. READ, THO. M'KEAN.

Maryland — SAMUEL CHASE, WM. PACA, THOS. STONE, CHARLES CARROLL of Carrollton.

Virginia — GEORGE WYTHE, RICHARD HENRY LEE, TH. JEFFERSON, BENJA. HARRISON, THOS. NELSON, jr., FRANCIS LIGHTFOOT LEE, CARTER BRAXTON.

North Carolina — WM. HOOPER, JOSEPH HEWES, JOHN PENN.

South Carolina — EDWARD RUTLEDGE, THOS. HEYWARD, Junr., THOMAS LYNCH, Junr., ARTHUR MIDDLETON.

Georgia — BUTTON GWINNETT, LYMAN HALL, GEO. WALTON. [1]

[1] This arrangement of the names is made for convenience. The states are not mentioned in the original.

CONSTITUTION

OF THE

UNITED STATES OF AMERICA*

WE THE PEOPLE of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this CONSTITUTION for the United States of America.

ARTICLE. I.

SECTION. 1. All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

SECTION. 2. The House of Representatives shall be composed of Members chosen every second Year by the People of the several States, and the Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature.

No Person shall be a Representative who shall not have attained to the Age of twenty five Years, and been seven Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State in which he shall be chosen.

Representatives and direct Taxes shall be apportioned among the several States which may be included within this Union, according to their respective numbers, which shall be determined by adding to the whole Number of free Persons, including those bound to Service for a Term of Years, and excluding Indians not taxed, three fifths of all other Persons. The actual Enumeration shall be made within three Years after the first Meeting of the Congress of the United States, and within every subsequent Term of ten Years, in such Manner as they shall by Law direct. The number of Representatives shall not exceed one for every thirty Thousand, but each State shall have at Least one

* Reprinted from the text issued by the State Department.

Representative; and until such enumeration shall be made, the State of New Hampshire shall be entitled to chuse three, Massachusetts eight, Rhode Island and Providence Plantations one, Connecticut five, New-York six, New Jersey four, Pennsylvania eight, Delaware one, Maryland six, Virginia ten, North Carolina five, South Carolina five, and Georgia three.

When vacancies happen in the Representation from any State, the Executive Authority thereof shall issue Writs of Election to fill such Vacancies.

The House of Representatives shall chuse their Speaker and other Officers; and shall have the sole Power of Impeachment.

SECTION. 3. The Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof, for six Years; and each Senator shall have one Vote.

Immediately after they shall be assembled in Consequence of the first Election, they shall be divided as equally as may be into three Classes. The Seats of the Senators of the first Class shall be vacated at the Expiration of the second Year, of the second Class at the Expiration of the fourth Year, and of the third Class at the Expiration of the sixth Year, so that one third may be chosen every second Year; and if Vacancies happen by Resignation, or otherwise, during the Recess of the Legislature of any State, the Executive thereof may make temporary Appointments until the next Meeting of the Legislature, which shall then fill such Vacancies.

No Person shall be a Senator who shall not have attained to the Age of thirty Years, and been nine Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State for which he shall be chosen.

The Vice President of the United States shall be President of the Senate, but shall have no Vote, unless they be equally divided.

The Senate shall chuse their other Officers, and also a President pro tempore, in the Absence of the Vice President, or when he shall exercise the Office of President of the United States.

The Senate shall have the sole Power to try all Impeachments. When sitting for that Purpose, they shall be on Oath or Affirmation. When the President of the United States is tried, the Chief Justice shall preside: And no Person shall be convicted without the Concurrence of two thirds of the Members present.

Judgment in Cases of Impeachment shall not extend further than to removal from Office, and disqualification to hold and enjoy any Office of honor, Trust or Profit under the United States: but the Party convicted shall nevertheless be liable and subject to Indictment, Trial, Judgment and Punishment, according to Law.

SECTION. 4. The Times, Places and Manner of holding Elections

for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by Law make or alter such Regulations, except as to the Places of chusing Senators.

The Congress shall assemble at least once in every Year, and such Meeting shall be on the first Monday in December, unless they shall by Law appoint a different Day.

SECTION. 5. Each House shall be the Judge of the Elections, Returns and Qualifications of its own Members, and a Majority of each shall constitute a Quorum to do Business; but a smaller Number may adjourn from day to day, and may be authorized to compel the Attendance of absent Members, in such Manner, and under such Penalties as each House may provide.

Each House may determine the Rules of its Proceedings, punish its Members for disorderly Behaviour, and, with the Concurrence of two thirds, expel a member.

Each House shall keep a Journal of its Proceedings, and from time to time publish the same, excepting such Parts as may in their Judgment require Secrecy; and the Yeas and Nays of the Members of either House on any question shall, at the Desire of one fifth of those Present, be entered on the Journal.

Neither House, during the Session of Congress, shall, without the Consent of the other, adjourn for more than three days, nor to any other Place than that in which the two Houses shall be sitting.

SECTION. 6. The Senators and Representatives shall receive a Compensation for their Services, to be ascertained by Law, and paid out of the Treasury of the United States. They shall in all Cases, except Treason, Felony and Breach of the Peace, be privileged from Arrest during their Attendance at the Session of their respective Houses, and in going to and returning from the same; and for any Speech or Debate in either House, they shall not be questioned in any other Place.

No Senator or Representative shall, during the Time for which he was elected, be appointed to any civil Office under the Authority of the United States, which shall have been created, or the Emoluments whereof shall have been encreased during such time; and no Person holding any Office under the United States, shall be a Member of either House during his Continuance in Office.

SECTION. 7. All Bills for raising Revenue shall originate in the House of Representatives; but the Senate may propose or concur with Amendments as on other Bills.

Every Bill which shall have passed the House of Representatives and the Senate, shall, before it become a Law, be presented to the President of the United States; If he approve he shall sign it, but if

not he shall return it, with his Objections, to that House in which it shall have originated, who shall enter the Objections at large on their Journal, and proceed to reconsider it. . If after such Reconsideration two thirds of that House shall agree to pass the Bill, it shall be sent, together with the Objections, to the other House, by which it shall likewise be reconsidered, and if approved by two thirds of that House, it shall become a Law. But in all such Cases the Votes of both Houses shall be determined by yeas and Nays, and the Names of the Persons voting for and against the Bill shall be entered on the Journal of each House respectively. If any Bill shall not be returned by the President within ten Days (Sundays excepted) after it shall have been presented to him, the same shall be a Law, in like Manner as if he had signed it, unless the Congress by their Adjournment prevent its Return, in which Case it shall not be a Law.

Every Order, Resolution, or Vote to which the Concurrence of the Senate and House of Representatives may be necessary (except on a question of Adjournment) shall be presented to the President of the United States; and before the Same shall take Effect, shall be approved by him, or being disapproved by him, shall be repassed by two thirds of the Senate and House of Representatives, according to the Rules and Limitations prescribed in the Case of a Bill.

SECTION. 8. The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

To borrow Money on the credit of the United States;

To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

To establish an uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States;

To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures;

To provide for the Punishment of counterfeiting the Securities and current Coin of the United States;

To establish Post Offices and post Roads;

To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries;

To constitute Tribunals inferior to the supreme Court;

To define and punish Piracies and Felonies committed on the high Seas, and Offences against the Law of Nations;

To declare War, grant Letters of Marque and Reprisal, and make Rules concerning Captures on Land and Water;

To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years;

To provide and maintain a Navy;

To make Rules for the Government and Regulation of the land and naval Forces;

To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions;

To provide for organizing, arming, and disciplining, the Militia, and for governing such Part of them as may be employed in the Service of the United States, reserving to the States respectively, the Appointment of the Officers, and the Authority of training the Militia according to the discipline prescribed by Congress;

To exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and the Acceptance of Congress, become the Seat of the Government of the United States, and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards, and other needful Buildings; — And

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

SECTION. 9. The Migration or Importation of such Persons as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress prior to the Year one thousand eight hundred and eight, but a Tax or duty may be imposed on such Importation, not exceeding ten dollars for each Person.

The Privilege of the Writ of Habeas Corpus shall not be suspended, unless when in Cases of Rebellion or Invasion the public Safety may require it.

No Bill of Attainder or ex post facto Law shall be passed.

No Capitation, or other direct, Tax shall be laid, unless in Proportion to the Census or Enumeration herein before directed to be taken.

No Tax or Duty shall be laid on Articles exported from any State.

No Preference shall be given by any Regulation of Commerce or Revenue to the Ports of one State over those of another: nor shall Vessels bound to, or from, one State, be obliged to enter, clear, or pay Duties in another.

No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time.

No Title of Nobility shall be granted by the United States: And no

Person holding any Office of Profit or Trust under them, shall, without the Consent of the Congress, accept of any present, Emolument, Office, or Title, of any kind whatever, from any King, Prince, or foreign State.

SECTION. 10. No State shall enter into any Treaty, Alliance, or Confederation; grant Letters of Marque and Reprisal; coin Money; emit Bills of Credit; make any Thing but gold and silver Coin a Tender in Payment of Debts; pass any Bill of Attainder, ex post facto Law, or Law impairing the Obligation of Contracts, or grant any Title of Nobility.

No State shall, without the Consent of the Congress, lay any Imposts or Duties on Imports or Exports, except what may be absolutely necessary for executing its inspection Laws: and the net Produce of all Duties and Imposts, laid by any State on Imports or Exports, shall be for the Use of the Treasury of the United States; and all such Laws shall be subject to the Revision and Controul of the Congress.

No State shall, without the Consent of Congress, lay any Duty of Tonnage, keep Troops, or Ships of War in time of Peace, enter into any Agreement or Compact with another State, or with a foreign Power, or engage in War, unless actually invaded, or in such imminent Danger as will not admit of delay.

ARTICLE. II.

SECTION. 1. The executive Power shall be vested in a President of the United States of America. He shall hold his Office during the Term of four Years, and, together with the Vice President, chosen for the same Term, be elected, as follows

Each State shall appoint, in such Manner as the Legislature thereof may direct, a Number of Electors, equal to the whole Number of Senators and Representatives to which the State may be entitled in the Congress: but no Senator or Representative, or Person holding an Office of Trust or Profit under the United States, shall be appointed an Elector.

The Electors shall meet in their respective States, and vote by Ballot for two Persons, of whom one at least shall not be an Inhabitant of the same State with themselves. And they shall make a List of all the Persons voted for, and of the Number of Votes for each; which List they shall sign and certify, and transmit sealed to the Seat of the Government of the United States, directed to the President of the Senate. The President of the Senate shall, in the Presence of the Senate and House of Representatives, open all the Certificates, and the Votes shall then be counted. The Person having the greatest Number of Votes shall be the President, if such Number be a Majority of the whole Number of Electors appointed; and if there be more than one

who have such Majority, and have an equal Number of Votes, then the House of Representatives shall immediately chuse by Ballot one of them for President; and if no Person have a Majority, then from the five highest on the List the said House shall in like Manner chuse the President. But in chusing the President, the Votes shall be taken by States, the Representation from each State having one Vote; A quorum for this Purpose shall consist of a Member or Members from two thirds of the States, and a Majority of all the States shall be necessary to a Choice. In every Case, after the Choice of the President, the Person having the greatest Number of Votes of the Electors shall be the Vice President. But if there should remain two or more who have equal Votes, the Senate shall chuse from them by Ballot the Vice President.

The Congress may determine the Time of chusing the Electors, and the Day on which they shall give their Votes; which Day shall be the same throughout the United States.

No Person except a natural born Citizen, or a Citizen of the United States, at the time of the Adoption of this Constitution, shall be eligible to the Office of President; neither shall any Person be eligible to that Office who shall not have attained to the Age of thirty five Years, and been fourteen Years a Resident within the United States.

In Case of the Removal of the President from Office, or of his Death, Resignation, or Inability to discharge the Powers and Duties of the said Office, the Same shall devolve on the Vice President, and the Congress may by Law provide for the Case of Removal, Death, Resignation or Inability, both of the President and Vice President, declaring what Officer shall then act as President, and such Officer shall act accordingly, until the Disability be removed, or a President shall be elected.

The President shall, at stated Times, receive for his Services, a Compensation, which shall neither be encreased nor diminished during the Period for which he shall have been elected, and he shall not receive within that Period any other Emolument from the United States, or any of them.

Before he enter on the Execution of his Office, he shall take the following Oath or Affirmation: —

"I do solemnly swear (or affirm) that I will faithfully execute the Office of President of the United States, and will to the best of my Ability, preserve, protect and defend the Constitution of the United States."

SECTION. 2. The President shall be Commander in Chief of the Army and Navy of the United States, and of the Militia of the several States, when called into the actual Service of the United States; he may require the Opinion, in writing, of the principal Officer in each of the executive Departments, upon any Subject relating to the Duties of their respective Offices, and he shall have Power to grant Reprieves and

Pardons for Offences against the United States, except in Cases of Impeachment.

He shall have Power, by and with the Advice and Consent of the Senate, to make Treaties, provided two thirds of the Senators present concur; and he shall nominate, and by and with the Advice and Consent of the Senate, shall appoint Ambassadors, other public Ministers and Consuls, Judges of the supreme Court, and all other Officers of the United States, whose Appointments are not herein otherwise provided for, and which shall be established by Law: but the Congress may by Law vest the Appointment of such inferior Officers, as they think proper, in the President alone, in the Courts of Law, or in the Heads of Departments.

The President shall have Power to fill up all Vacancies that may happen during the Recess of the Senate, by granting Commissions which shall expire at the End of their next Session.

SECTION. 3. He shall from time to time give to the Congress Information of the State of the Union, and recommend to their Consideration such Measures as he shall judge necessary and expedient; he may, on extraordinary Occasions, convene both Houses, or either of them, and in Case of Disagreement between them, with Respect to the Time of Adjournment, he may adjourn them to such Time as he shall think proper; he shall receive Ambassadors and other public Ministers; he shall take Care that the Laws be faithfully executed, and shall Commission all the Officers of the United States.

SECTION. 4. The President, Vice President and all civil Officers of the United States, shall be removed from Office on Impeachment for, and Conviction of, Treason, Bribery, or other high Crimes and Misdemeanors.

ARTICLE III.

SECTION. 1. The judicial Power of the United States, shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish. The Judges, both of the supreme and inferior Courts, shall hold their Offices during good Behaviour, and shall, at stated Times, receive for their Services, a Compensation, which shall not be diminished during their continuance in Office.

SECTION. 2. The judicial Power shall extend to all Cases, in Law and Equity, arising under this Constitution, the Laws of the United States, and Treaties made, or which shall be made, under their Authority; — to all Cases affecting Ambassadors, other public Ministers and Consuls; — to all Cases of admiralty and maritime Jurisdiction; — to Controversies to which the United States shall be a Party; — to Controversies between two or more States; — between a State and Citizens

of another State; — between Citizens of different States, — between Citizens of the same State claiming Lands under Grants of different States, and between a State, or the Citizens thereof, and foreign States, Citizens or Subjects.

In all Cases affecting Ambassadors, other public Ministers and Consuls, and those in which a State shall be Party, the supreme Court shall have original Jurisdiction. In all the other Cases before mentioned, the supreme Court shall have appellate Jurisdiction, both as to Law and Fact, with such Exceptions, and under such regulations as the Congress shall make.

The Trial of all Crimes, except in Cases of Impeachment, shall be by Jury; and such Trial shall be held in the State where the said Crimes shall have been committed; but when not committed within any State, the Trial shall be at such Place or Places as the Congress may by Law have directed.

SECTION. 3. Treason against the United States, shall consist only in levying War against them, or in adhering to their Enemies, giving them Aid and Comfort. No Person shall be convicted of Treason unless on the Testimony of two Witnesses to the same overt Act, or on Confession in open Court.

The Congress shall have Power to declare the Punishment of Treason, but no Attainder of Treason shall work Corruption of Blood, or Forfeiture except during the Life of the Person attainted.

ARTICLE. IV.

SECTION. 1. Full Faith and Credit shall be given in each State to the public Acts, Records, and judicial Proceedings of every other State. And the Congress may by general Laws prescribe the Manner in which such Acts, Records and Proceedings shall be proved, and the Effect thereof.

SECTION. 2. The Citizens of each State shall be entitled to all Privileges and Immunities of Citizens in the several States.

A Person charged in any State with Treason, Felony, or other Crime, who shall flee from Justice, and be found in another State, shall on Demand of the executive Authority of the State from which he fled, be delivered up, to be removed to the State having Jurisdiction of the Crime.

No Person held to Service or Labour in one State, under the Laws thereof, escaping into another, shall, in Consequence of any Law or Regulation therein, be discharged from such Service or Labour, but shall be delivered up on Claim of the Party to whom such Service or Labour may be due.

SECTION. 3. New States may be admitted by the Congress into this

life or limb; nor shall be compelled in any Criminal Case to be witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

VI.

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining Witnesses in his favor, and to have the Assistance of Counsel for his defence.

VII.

In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury shall be otherwise re-examined in any Court of the United States, than according to the rules of the common law.

VIII.

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

IX.

The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

X.

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

XI.

The Judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States by Citizens of another State, or by Citizens or Subjects of any Foreign State.

XII.

The Electors shall meet in their respective states, and vote by ballot for President and Vice President, one of whom, at least, shall not be an inhabitant of the same state with themselves; they shall name in their ballots the person voted for as President, and in distinct ballots

the person voted for as Vice-President, and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice-President, and of the number of votes for each, which lists they shall sign and certify, and transmit sealed to the seat of the government of the United States, directed to the President of the Senate; — The President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates and the votes shall then be counted; — The person having the greatest number of votes for President, shall be the President, if such number be a majority of the whole number of Electors appointed; and if no person have such majority, then from the persons having the highest numbers not exceeding three on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President. But in choosing the President, the votes shall be taken by states, the representation from each state having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the states, and a majority of all the states shall be necessary to a choice. And if the House of Representatives shall not choose a President whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice-President shall act as President, as in the case of the death or other constitutional disability of the President. The person having the greatest number of votes as Vice-President, shall be the Vice-President, if such number be a majority of the whole number of Electors appointed, and if no person have a majority, then from the two highest numbers on the list, the Senate shall choose the Vice-President; a quorum for the purpose shall consist of two-thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice. But no person constitutionally ineligible to the office of President shall be eligible to that of Vice-President of the United States.

XIII.

SECTION 1. Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

SECTION 2. Congress shall have power to enforce this article by appropriate legislation.

XIV.

SECTION 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce

any law which shall abridge the privileges or immunities of citizens of the United States: nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

SECTION 2. Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice-President of the United States, Representatives in Congress, the Executive and Judicial officers of a State, or the members of the Legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

SECTION 3. No person shall be a Senator or Representative in Congress, or elector of President and Vice President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath, as a member of Congress, or as an officer of the United States, or as a member of any State legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each House, remove such disability.

SECTION 4. The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations and claims shall be held illegal and void.

SECTION 5. The Congress shall have power to enforce, by appropriate legislation, the provisions of this article.

XV.

SECTION 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

SECTION 2. The Congress shall have power to enforce this article by appropriate legislation.

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U. S Grant 1868 - 1876
Rutherford B Hayes 1876 - 1880
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Wm Taft 1908 -